

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Thomas Sierra,

Plaintiff,

v.

Reynaldo Guevara et al.,

Defendants.

No. 18 C 3029

Hon. John Z. Lee,
District Judge

Hon. M. David Weisman,
Magistrate Judge

**Plaintiff's Supplement to Rule 72
Objections Regarding Documents
Related to the *Klipfel* Litigation**

Exhibit 1

**Deposition Transcript of Jose Juan Maysonet,
Maysonet v. Guevara, 18 C 2342 (N.D. Ill.),
April 16, 2021**

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ILLINOIS
3 EASTERN DIVISION

4 JOSE JUAN MAYSONET,)
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15)
REYNALDO GUEVARA, et al.,)
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Defendants.)

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The video-recorded videoconference
deposition of JOSE JUAN MAYSONET, JR., taken
pursuant to the Federal Rules of Civil Procedure,
before Kathleen A. Hillgard, Certified Shorthand
Reporter No. 084-004093, via Zoom, on Friday,
April 16, 2021, commencing at 10:06 a.m. pursuant
to notice.

1 APPEARANCES:

2 BONJEAN LAW GROUP, by
3 MS. JENNIFER BONJEAN
4 MS. ASHLEY COHEN
5 (750 Lexington Avenue, 9th Floor
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8 Jennifer@bonjeanlaw.com
9 Ashley@bonjeanlaw.com)
10 -and-

11 STEVEN A. GREENBERG, LTD., by
12 MR. STEVEN A. GREENBERG
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17 appeared on behalf of the plaintiff;

18 THE SOTOS LAW FIRM, by
19 MR. DAVID A. BRUEGGEN
20 (141 West Jackson Boulevard, Suite 1240A
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22 312.494.1000
23 Dbrueggen@jsotoslaw.com)
24 appeared on behalf of the City of
Chicago police officer defendants;

25 ROCK FUSCO & CONNELLY, LLC, by
26 MR. AUSTIN G. RAHE
27 MS. EILEEN ROSEN
28 MS. JESS ZEHNER
29 (321 North Clark Street, Suite 2200
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32 Arahe@rfclaw.com
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35 appeared on behalf of the defendant
36 City of Chicago;

1 ALSO PRESENT: (Cont'd)

2 LEINENWEBER BARONI & DAFFADA, LLC, by
3 MS. MEGAN K. MCGRATH
4 (120 North LaSalle Street, Suite 2000
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5 Megan@ilesq.com)
6 appeared on behalf of the defendant
Reynaldo Guevara;

7 HINSHAW, by
8 MR. ROBERT T. SHANNON
MR. VINCENT M. RIZZO
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11 Echoi@hinshawlaw.com)
12 appeared on behalf of the defendant
Frank DiFranco.

13 ALSO PRESENT:

14 Ms. Haley Coolbaugh,
15 Bonjean Law, Paralegal

16 Ms. Brett Schatzle
Urlaub Bowen & Associates, Videographer

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1 I N D E X
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3 Witness:		Page
4 JOSE JUAN MAYSONET, JR.		
5 Examination by:		
6 Mr. Brueggen.....	6	
Mr. Shannon.....	398	

15 E X H I B I T S
16

17 No.	18 Description	19 Marked/Referenced
20 1	Photos, Santiago Sanchez Funeral.....	191
21 2	Cook County Jail Authorization.....	249
22 3	Statement of Jose Maysonet 8/23/90.....	320
23 4	Polaroid Photo, Front and Back.....	324
24 6	Petition for Postconviction Relief.....	358

21 (Exhibits attached/scanned.)
22

23 - - -
24

1 THE VIDEOGRAPHER: This is the beginning of
2 Media Unit 1 and we are now on the video record at
3 10:06 a.m.

4 This is the videotaped video
5 conference deposition of Jose Juan Maysonet, Jr.,
6 being taken on April 16, 2021.

7 This deposition is being taken on
8 behalf of the defendant in the matter of Jose Juan
9 Maysonet, Jr. versus Reynaldo Guevara et al. The
10 case number is 18 CV 2342, filed in the United
11 States for the Northern District of Illinois,
12 Eastern Division.

13 My name is Bret Schatzle, legal
14 videographer representing Urlaub Bowen & Associates
15 with offices at 20 North Clark Street, Suite 600,
16 Chicago, Illinois.

17 The court reporter today is Kathy
18 Hillgard, also of Urlaub Bowen & Associates.

19 Counsel, please identify yourselves
20 for the video record and the parties which you
21 represent.

22 MS. BONJEAN: Good morning. Jennifer Bonjean
23 on behalf of the plaintiff Jose Juan Maysonet, Jr.

24 MR. BRUEGGEN: Good morning. Dave Brueggen

1 on behalf of defendants Montilla, Paulnitsky,
2 Epplen, Mingey, and Halvorsen.

3 MR. RAHE: Good morning. This is Austin
4 Rahe. I'm here with Eileen Rosen and Jess Zehner
5 for defendant City of Chicago.

6 MS. McGRATH: Megan McGrath on behalf of the
7 defendant Guevara.

8 MR. SHANNON: Bob Shannon on behalf of
9 defendant DiFranco. Also with me is Vincent Rizzo
10 and on occasion Esther Choi will also be on.

11 THE VIDEOGRAPHER: Will the court reporter
12 please swear in the witness.

13 (Witness sworn.)

14 JOSE JUAN MAYSONET, JR.
15 called as a witness herein, having been first duly
16 sworn, was examined and testified as follows:

17 EXAMINATION

18 BY MR. BRUEGGEN:

19 Q. Good morning, Mr. Maysonet. How are
20 you today?

21 A. Good. How you doing?

22 Q. Good.

23 Let's start. Can you please state
24 your full name for the record?

1 A. Jose Juan Maysonet, Jr.

2 Q. Mr. Maysonet, have you ever given a
3 deposition before?

4 A. No.

5 Q. Okay. As you can see, we're doing it
6 via Zoom, and I don't know if you're familiar
7 already with Zoom. I'm sure you talked to your
8 attorney about the rules for a deposition.

9 But we need to take turns speaking.
10 So I ask if I'm asking a question, you wait until
11 I'm done with my question before giving me an
12 answer, and likewise I will wait until you're done
13 with your answer before I pose a new question.

14 Okay?

15 A. Okay.

16 Q. We also need your answers to be out
17 loud if you could use yes and no instead of uhn-uhn
18 or uh-huh or nod or shake your head. Okay?

19 A. Okay.

20 Q. And if you nod or shake your head, you
21 might forget, I may follow up with, Is that a yes
22 or is that a no, just to clear the record. Okay?

23 A. Okay.

24 Q. I'll be asking a lot of questions

1 today. If at any time you don't understand my
2 question or you don't hear me, just let me know and
3 I can rephrase it. Okay?

4 A. Okay.

5 Q. If you answer a question, we'll assume
6 you understood it; is that fair?

7 A. Good.

8 Q. Also, since it's going to be -- you
9 know, take some time today, if you need a break at
10 any time, that's not a problem. Just let me know.
11 I just ask if there's a question pending, you give
12 us an answer to that question and then we can take
13 a break. Okay?

14 A. Okay.

15 Q. And to start, can you tell me who's
16 present in the room with you?

17 A. I got my attorney right here sitting
18 next to me on my right, and I also got another
19 attorney sitting right on my left in front of me.

20 MS. BONJEAN: I'm going to, just for the
21 record to clarify, we have my paralegal, Haley --

22 THE WITNESS: Paralegal.

23 MS. BONJEAN: She's like an attorney. That's
24 fair.

1 -- (continuing) who's present. And
2 also Ashley will be joining us, but she's not here
3 right now. And -- and Greenberg will be joining us
4 at some point.

5 MR. BRUEGGEN: And just to clarify, Jennifer,
6 will they be joining on their own computers or will
7 they be in the room with you?

8 MS. BONJEAN: Ashley will be on her own
9 computer.

10 And, Haley, are you on Zoom right
11 now?

12 She's going to be joining on Zoom
13 shortly, but she's doing something right this
14 second.

15 BY MR. BRUEGGEN:

16 Q. And, Mr. Maysonet, since we're not in
17 the same room, you may have some documents that
18 were printed out that we use as exhibits or other
19 documents, and I just ask that if you refer to a
20 document or look at a document to provide an
21 answer, you let me know that you're looking at a
22 document since I can't see that you're doing that.

23 Okay?

24 A. Okay.

1 Q. Mr. Maysonet, did you speak with your
2 attorney to prepare for this deposition? And I'm
3 not looking for what you talked about, just whether
4 you spoke to her, yes or no.

5 A. Yes, yeah. We talked.

6 Q. How many times did you speak with her
7 to prepare for your deposition?

8 A. We -- I guess we talk a number of time.
9 I'm not remember how -- how many times we, but
10 yeah, a number of time.

11 Q. And that number of times specifically
12 to talk about your deposition today?

13 A. Not really. I mean ...

14 Q. And do you recall specifically meeting
15 with your attorneys just to talk about your
16 deposition and prepare for your deposition today?

17 A. Well, we'll be preparing for a long
18 time.

19 Q. Did you meet with your attorney in
20 person to talk about your deposition today?

21 A. I just got here right now, yeah.

22 Q. Prior to this morning, did you meet
23 with your attorney in person to talk about your
24 deposition?

1 A. Sure. Yeah.

2 Q. And when was that?

3 A. Just probably about 15 minutes ago.

4 MS. BONJEAN: Yesterday.

5 THE WITNESS: Oh, and yesterday. Yeah.

6 BY MR. BRUEGGEN:

7 Q. You met with your attorney yesterday to
8 talk about the deposition?

9 A. Yeah.

10 Q. Was that in person or via
11 videoconference or via --

12 A. No, no, no. In person, in person.

13 Q. How long was that meeting with your
14 attorney yesterday?

15 A. Few minutes, I guess.

16 MS. BONJEAN: No. Longer than that.

17 THE WITNESS: I mean, probably about an hour.

18 BY MR. BRUEGGEN:

19 Q. You met with your attorney for about an
20 hour yesterday?

21 A. Yes.

22 Q. And when you met with your attorney,
23 did you review any documents?

24 A. No.

1 Q. And prior to yesterday meeting with
2 your attorney, had you met with your attorney to
3 talk specifically about your deposition, the fact
4 that you had would come here and testify today?

5 A. Yesterday, yeah.

6 Q. Other than your attorney or anybody who
7 works with your attorney, did you talk to anybody
8 else about your deposition?

9 A. No.

10 Q. Have you looked at or reviewed any
11 documents in preparation for your deposition?

12 A. Not really.

13 Q. When you say "not really," it makes me
14 think that you did look at some documents; is that
15 accurate?

16 A. Some of them, but not -- you know, not
17 anything, you know, basically important to me,
18 though, you know. I know what I'm -- I'm here for,
19 what the procedure that I've already been
20 explained, though. So ...

21 Q. Can you tell me what documents you
22 looked at?

23 A. Just old papers and stuff. Yeah.

24 Q. And --

1 A. Stuff -- stuff they didn't even -- I
2 didn't even -- I didn't even thought they were
3 around, though.

4 Q. Okay. Did you look at any police
5 reports in preparation for your deposition today?

6 A. No, no police reports.

7 Q. Did you look at any affidavits you
8 completed in preparation for your deposition today?

9 A. No.

10 Q. Did you look at any motions you filed
11 in preparation for your deposition today?

12 A. No, no. No motion.

13 Q. Can you tell me what the documents were
14 that you looked at?

15 A. No.

16 Q. Did you look at any photographs in
17 preparation for today?

18 A. Yes.

19 Q. What photographs did you look at?

20 A. I saw photograph of -- I think it was a
21 photograph of -- from the -- I think it was from
22 the -- from the funeral or something like that.

23 I want to know the name of the card.
24 The -- I forgot the name. It come from the

1 funeral, one of those things when you go -- I don't
2 understand. Sorry. My English not all that good,
3 though, but some thing, you know, I can ...

4 Q. No. Understandable.

5 Are you saying it was like a
6 memorial card from a funeral that you saw?

7 A. Like memorial card, right, yeah.

8 Q. Did you see any other photos?

9 MS. BONJEAN: Pontiac.

10 THE WITNESS: Pontiac photo, yeah. So photo
11 from prison.

12 BY MR. BRUEGGEN:

13 Q. And, Mr. Maysonet, just to let you
14 know, I know your attorney's sitting next to you
15 and it seems at times you're trying to ask her to
16 help you, but, again, she's not supposed to tell
17 you any answers or anything.

18 Just do the best you can. Whatever
19 you remember. Okay, sir?

20 MS. BONJEAN: Yeah. And if you don't
21 remember or you don't know, tell him you don't
22 remember and you don't know.

23 THE WITNESS: The name, or the name, I
24 don't --

1 MS. BONJEAN: Yeah.

2 THE WITNESS: -- remember some name, yeah.

3 And, you know, like this -- you know, what is the
4 name of this or that. I mean ...

5 BY MR. BRUEGGEN:

6 Q. Mr. Maysonet, can you tell us where you
7 currently live?

8 A. I live with -- I live with my mom.

9 2454 North Austin Avenue.

10 Q. And is that a house or an apartment?

11 A. It is an apartment.

12 Q. Does your mom live in the same
13 apartment as you?

14 A. Yes. She -- she ...

15 Q. Are there other apartments in the
16 building?

17 A. Just the second floor.

18 Q. Do you live on the second floor with
19 your mom?

20 A. No. I live in the first floor with my
21 mom.

22 Q. Who lives on the second floor?

23 A. My sister.

24 Q. And does anybody live in the basement

1 of that apartment?

2 A. Only thing in the basement, I'm a DJ.
3 I be, you know, playing music and stuff, just like
4 a caveman. Sorry.

5 Q. No. I appreciate that.

6 So is your bedroom in the basement?

7 A. It's -- it's like a small studio, you
8 know, like a small recording studio. I make music.

9 Q. Okay.

10 A. Just a hobby; just a hobby.

11 Q. Understandable.

12 So you said you're a DJ. So you
13 have DJ equipment in the basement?

14 A. Yes, I do.

15 Q. And you said you have a small studio in
16 there.

17 A. Yes.

18 Q. Is that soundproofed or anything?

19 A. It's a cheap one, not, you know, for --
20 it is a good one, though, but it's cheap, though,
21 yes. Maybe one day I get a nice one.

22 Q. How long have you been doing DJ stuff?

23 A. I've been doing DJ, actually, since
24 I've been a kid, though, for now since -- well, I

1 know you know that I've been out of prison not long
2 ago, so I kind of pick up where I left, you know,
3 when I was young when I went to prison, though.

4 So basically I learning a lot about
5 the technology. That's what amazing me about the
6 technologies of everything, you know, that they
7 talk about like 20-something years ago, it is true
8 now, you know. So that's basically -- you know.
9 Music is my thing, make it possible you make your
10 own music now. You don't have to go to one of
11 those big, expensive studios stuff. You can create
12 stuff, basically, though. I love it.

13 Q. So do you have a computer you use as a
14 DJ to make music?

15 A. I got two computer, you know. It's --
16 I mean, I'm sorry I get so excited about something
17 that, you know, for year I want, you know, touch
18 and feel. But yeah, I do. I do got two computer.

19 Q. Do you also have any musical
20 instruments?

21 A. I do got a keyboard.

22 Q. So where is your bedroom in the
23 apartment building that you're in?

24 A. The bedroom in my house is next to my

1 mom, next -- in between the shower and my mother's
2 bedroom.

3 Q. So it's on the first floor of the --

4 A. Yes, sir.

5 Q. You said your sister lives on the
6 second floor of the apartment building, right?

7 A. Correct.

8 Q. Who does your sister live with?

9 A. My sister live with two of her kid, her
10 daughter and her baby boy.

11 Q. How long have you lived in the
12 apartment with your mother.

13 A. Since I been out of prison.

14 Q. Does anybody else live in that building
15 other than your sister and her children and you and
16 your mother?

17 A. My dog, if you want.

18 Q. Is it your dog, sir?

19 A. Yeah.

20 Q. What kind of dog?

21 A. It just -- it's a mix, half pit bull
22 and half Shih Tzu.

23 Q. What about a gentleman by the name of
24 Rafael, does he live in that building?

A. Yes. That's my stepdad.

2 Q. And your stepdad Rafael, where does he
3 live in the apartment building?

4 A. He live -- he live with my mom too. We
5 live in the first floor.

6 Q. Does he have his own bedroom on the
7 first floor?

8 A. No. He -- he got -- he got his own
9 bedroom with my mom.

10 Q. Okay. I understand.

13 | Page

14 0 Where do you work?

15 A. I work with the Voyant Company.

16 Q. I'm sorry. Can you say that name
17 again?

18 A. Voyant Company. I'll show you the name
19 right now, if you give me a moment. Let me just
20 look for it.

21 Q. Yeah. And why don't you hand it to
22 your attorney and perhaps she can maybe spell it
23 for the record.

24 MS. BONJEAN: Oh, it's that one?

1 THE WITNESS: No. That is my other one. No
2 that's -- that's my key.

3 MS. BONJEAN: That's your key?

4 THE WITNESS: Yeah. It doesn't have the
5 name, Voyant.

6 MS. BONJEAN: Okay. It just has -- just so
7 you know, on the card it just says Ceridian
8 Dayforce. I don't know what he's saying in
9 terms -- why don't -- can you spell it?

10 THE WITNESS: It is Ceridian,
11 C-e-r-i-d-i-a-n, Dayforce.

12 MS. BONJEAN: Yeah.

13 THE WITNESS: But it is a key. This just --
14 this just for the -- my -- to punch my -- my
15 punching card. I left my ID in the house. I'm
16 sorry, though. I just ...

17 BY MR. BRUEGGEN:

18 Q. Not a problem, Mr. Maysonet.

19 Can you spell the name of your
20 company?

21 A. The Voyant is with a V-o-y-a-n-t, I
22 believe. Basically it's Johnson & Johnson, though,
23 you know, just one of -- I work with the Johnson &
24 Johnson, but the name of the company is Voyant,

1 though.

2 Q. And what does the company Voyant do for
3 Johnson & Johnson?

4 THE WITNESS: I can talk about that?

5 MS. BONJEAN: Yeah.

6 THE WITNESS: No, but I don't want no problem
7 with the company.

8 It's just -- they make like some
9 lotions, hand sanitizer. They make a number of
10 cosmetics. Let's put it like that, you know.

11 BY MR. BRUEGGEN:

12 Q. So are you working at a manufacturing
13 facility?

14 A. Yes. It's just like a plant, yeah.

15 Q. What is your position with Voyant?

16 A. My position in Voyant is sanitizer.

17 I'm -- I'm the type of person that I, you know,
18 take thing apart and put them back together again
19 and make sure they, you know, got their seal.

20 Anything broke, I make sure they, you know, get
21 change, and maintenance, though, you know.

22 Basically, though, got to be sanitized, though, you
23 know. They don't want no product mix with another
24 one when they get -- go through the process of

1 bagging it up or whatever.

2 Q. So you sanitize the equipment after
3 it's been used to manufacture?

4 A. Yes. That's what I do.

5 Q. So do you have mechanical skills where
6 you have to take the equipment part to sanitize it?

7 A. Well, it's -- everything so basic. I
8 mean, I'm pretty sure probably a 15-year-old kid
9 could take the machine apart and put it back
10 together again. It's just working with chemical is
11 the difficult part. It's a -- it's a long process,
12 though.

13 So like, for instance, like
14 yesterday when I was working yesterday, we had
15 these machines, they -- they need a critical. So
16 they got two step. You got number one critical and
17 you got number two critical. The number two is
18 super critical, meaning you got to take things
19 apart. And it take about eight hours, the whole
20 process take the whole eight hour and -- and you
21 got someone there, you know, with -- supervising.
22 Every step that you do, you do it by the book. If
23 not, you know, you be in trouble.

24 Q. How long have you been working for

1 Voyant?

2 A. Not -- I been working for Voyant for
3 like almost a month now or five weeks.

4 Q. What are your usual hours of work for
5 Voyant?

6 A. From 5:00 o'clock in the morning to
7 3:30 in the afternoon.

8 Q. Do you work with other people who are
9 sanitizers who are doing the same stuff as you?

10 A. Yes, I do.

11 Q. When you sanitize the equipment, do you
12 work as a team, like with someone else who's also
13 helping take the machine apart and sanitize it?

14 A. It depend. If -- if we pretty much
15 busy, you know, you be pretty much by your own,
16 though. Just the paperwork, you need verification,
17 so that's basically when you need someone to sign
18 the paper and make sure that everything you do,
19 step by step, is what you do.

20 Other than that, you know, you
21 pretty much -- you're on your own, though. Unless
22 there's not too many work to do, someone might give
23 you a hand. So yeah.

24 Q. And can you tell us what your hourly

1 wage is there?

2 A. I get paid out \$18.50.

3 MS. BONJEAN: An hour.

4 THE WITNESS: Yeah, an hour.

5 BY MR. BRUEGGEN:

6 Q. Do you receive any benefits?

7 A. Yeah. We get, you know, like vacation.

8 We get like insurance, stuff like that.

9 Q. You have health insurance through
10 Voyant?

11 A. Yes. Through Voyant, yes. Well, I
12 ain't got mine yet, though, but yeah, they do give
13 you that, though, you know. They give you bonuses
14 too every month. Depend how you do. Depending on
15 the company doing great, you know, you get what --
16 what they give you, though, you know. They very
17 kind and generous people.

18 Q. And so you have the opportunity to get
19 health insurance after you've been there a certain
20 time. Is that your understanding?

21 A. Well, I haven't got my insurance to
22 done yet, though, but I'm getting ready to -- to
23 have it, though. I just -- I've been new in there,
24 you know. It's a lot of things that I haven't done

1 yet, though, you know. Kind of far for me, you
2 know. I don't travel that far distance.
3 Everything that I do, you know, is on my own and
4 sometimes I get lost.

5 Q. Where is your -- where is Voyant
6 located where you work?

7 A. Voyant located on 53 -- I got -- can I
8 see my phone so I can him the show address? I can
9 check my address and --

10 Q. And, Mr. Maysonet, you can just give me
11 a general idea. You can tell me cross streets.
12 You don't have to give me the exact address.

13 A. It's in -- It's in County, County Side,
14 Illinois.

15 Q. How do you get to work at Voyant?

16 A. I got -- I got my vehicle, though. I
17 got -- I got a car.

18 Q. You drive to work?

19 A. Yes, I do.

20 Q. And going back to the -- the building
21 where you currently live, do you know who owns that
22 building?

23 A. My parents.

24 Q. So your mother and your stepfather own

1 the building?

2 A. Actually, yeah. My -- my mom and my
3 dad, yeah.

4 Q. Does your mom make you pay rent?

5 A. Not yet. Kind of glad, though,
6 but -- you know, I guess have to start learning how
7 to be responsible. I thought I'm going to get away
8 for it forever, though, but I don't know.

9 Q. Mr. Maysonet, do you have a girlfriend
10 or a significant other at the present time?

11 A. Not now.

12 Q. Have you had a girlfriend -- since
13 you've been released from prison, did you have a
14 girlfriend?

15 A. Yes, I did.

16 Q. More than one?

17 A. Plenty.

18 Q. Did you say 20 or plenty?

19 A. Plenty, plenty.

20 Q. Plenty.

21 So --

22 A. Enough -- enough -- enough, you know,
23 to make me forget a lot of things from the past.
24 Let's put it like that.

1 Q. So you've had -- when you say "plenty,"
2 is it more than ten girlfriends you've had since
3 being out or --

4 A. I don't -- I don't want to excited
5 myself, but I did have plenty, though, you know,
6 just ...

7 Q. And, Mr. Maysonet, what I'm looking for
8 is, you know, a girlfriend relationship where
9 you're, you know, kind of in a relationship as
10 opposed to just someone that maybe you spend time
11 with.

12 A. Someone seriously?

13 Q. Yes, yes.

14 A. Yes, I did. I did have someone
15 serious, though.

16 Q. And was it just one serious
17 relationship or --

18 A. Yes.

19 Q. -- multiple?

20 A. No, no, no, no. One.

21 Q. So one serious relationship and then
22 plenty of other relationships?

23 A. Exactly. How you -- yeah. How you ...

24 Q. Mr. Maysonet, can you tell me who your

1 closest friends are now?

2 A. My closest friend right now is my own
3 shadow.

4 Q. You say your shadow?

5 A. My shadow, yes.

6 Q. Do you have any friends?

7 A. No, I don't.

8 Q. Do you spend time with anybody outside
9 of work?

10 A. Yeah. I spend time with my dog most of
11 the times, the only one who can listen to me,
12 though.

13 Q. What types of things do you do with
14 your dog outside of work?

15 A. Well, we walk. We walk around, you
16 know. I -- I spend -- I think I spend more time
17 with him than what I spend, you know, actually with
18 anybody. You know, the dog is so very obedient,
19 though, that everything that I taught him he do.

20 So I don't know if you want to,
21 don't believe me. If you say something bad to me
22 and I tell somebody, Hey, don't talk to me, you
23 know. I don't know if these people believe me,
24 though, but yeah, it's just -- it's a wonderful

1 relationship that I got with him.

2 Q. Are there any people that -- you know,
3 setting aside your girlfriends or, you know, those
4 types of relationships, are there any people that
5 you spend time with where you go have dinner with
6 them or go grab a drink with them or go to the park
7 with them?

8 A. No. I really don't -- I really don't
9 go nowhere with nowhere. I don't even -- I don't
10 even go to restaurant. I don't -- I don't even
11 drink. I mean ...

12 Q. Can you tell me what you do with your
13 free time, what hobbies you have? You've mentioned
14 DJing and you've mentioned your dog. Can you tell
15 us some other stuff?

16 A. I fixing stuff around the house, you
17 know. If anything basically that I can put my
18 hands on, I will fix, though. If I can save some
19 money for the family, I will.

20 But other than DJ, making music, you
21 know. That's it.

22 Q. What about do you like going on bike
23 rides.

24 A. Sometime I do. I haven't been on bike

1 since -- that I bought my car, though, but yeah.

2 Sometime I do, yeah.

3 Q. And what kind of bike was that? Was
4 that a bike like that you would ride on trails or
5 was it like a bike for on the roads?

6 A. No. It's -- it just -- it just a -- I
7 had a -- I had a bike. I had a big bike,
8 supersport bike. Basically I just sold it, though
9 not long ago. Big bike, you know what I mean,
10 Suzuki.

11 Q. Did you say Suzuki?

12 A. Suzuki, yeah.

13 Q. And so was that a bike like a
14 motorcycle?

15 A. Yeah. It's a motorcycle. Right,
16 motorcycle? Yeah.

17 Q. How long did you have your motorcycle?

18 A. Oh, I have that motorcycle since --
19 wow, since '88, I believe.

20 Q. So after you recently acquired a car,
21 you got rid of the motorcycle?

22 A. Well, I get rid of the motorcycle
23 before I fall for it. It -- it'll be long time
24 that I haven't drove motorcycle and after that

1 couldn't and I fall, so I decide to sell it and get
2 something more safe for me. I'm old. I'm an old
3 guy. I'm not young like I used to be. Even though
4 I seem like I'm young, though, but I'm not, you
5 know.

6 Q. And any other hobbies, like gardening
7 or cooking?

8 A. Gardening, pretty much.

9 Q. Do you have a garden in your backyard?

10 A. Yeah. We got two. We -- we got two of
11 them. We got a vegetable garden and then a garden
12 with flowers and stuff, roses. Nothing now yet
13 because just -- winter just went by a couple --
14 getting prepped.

15 Q. Any other things you do with your free
16 time other than the DJing, playing with your dog,
17 or gardening?

18 A. No. That's about it. That's about it.

19 Q. Do you play any sports or any
20 activities?

21 A. No.

22 Q. Mr. Maysonet, are you receiving any
23 medical treatment at this time?

24 A. No.

1 Q. Are you receiving any mental health
2 treatment on an ongoing basis at this time?

3 A. No.

4 Q. And, Mr. Maysonet, to move things
5 along, I'm just going to tell you, our
6 understanding is that you were born in the United
7 States and then moved to Puerto Rico for part of
8 your childhood; is that right?

9 A. Yeah.

10 Q. How old were you when you moved to
11 Puerto Rico?

12 A. I was -- I was very young. Been a long
13 time and I was very young.

14 Q. In Puerto Rico, who did you live with?

15 A. With my mom. I live with my mom next
16 to my grandma. My mother's mother, that is.

17 Q. Did you live with your siblings?

18 A. Yes, I did. With my brother and my
19 sister.

20 Q. Your brother is Jose Antonio?

21 A. Antonio.

22 Q. And your sister Rose?

23 A. Rose. Take the R and put a J, what it
24 sound like? We all got the same name, basically.

1 Q. Fair enough.

2 Your brother, Jose Antonio, what is
3 his age relation to you?

4 A. We -- we -- we're close brothers, yeah.

5 Q. He is about a year younger than you?

6 A. A year younger than me.

7 Q. What about Rose? What's her age in
8 relation to yours?

9 A. I really -- I know she probably --
10 well, I don't remember her age exactly. I don't --
11 really don't want to say an age, though. If you
12 see her, she look real young, but she's probably
13 her late 40s, though, I believe.

14 Q. Is she about four years younger than
15 you?

16 A. I don't want to lie, though, but it
17 could be.

18 Q. You said you lived at a house next to
19 your grandmother's house in Puerto Rico?

20 A. Yes.

21 Q. What was your grandmother like?

22 A. Oh, she was real tough. She was -- she
23 was a librarian, as I remember, and a walking
24 library. Anything that you want to know, you ask

1 her, she will tell you the answer. You can go and
2 look in a dictionary, an encyclopedia and she --
3 you know, she was right. Very good woman, though.
4 She still alive, though. She almost a hundred
5 years old.

6 Q. So your grandmother's still alive,
7 living in Puerto Rico?

8 A. No. She -- she -- she -- actually she
9 just visit in Connecticut. Yeah. She just -- she
10 in United States right now. She just came and
11 visit.

12 Q. Mr. Maysonet, do you remember how long
13 you lived in Puerto Rico?

14 A. For -- I live for quite a while. It
15 was going back and forth, back and forth, you know.
16 We -- when I was young, you know, we
17 just -- summer, when school vacation come, I go --
18 we go back -- I go back to Puerto Rico and come
19 back, you know, just for a little bit, and travel
20 back and forth.

21 Q. So after moving to Puerto Rico when you
22 were very young, did you and your family come back
23 to the United States?

24 A. Yeah.

1 Q. Do you remember what age you were when
2 your family and you moved back to the United
3 States?

4 A. No, I don't. I don't remember. I was
5 just young. We were young.

6 Q. While you were in Puerto Rico, did you
7 go to school?

8 A. I went to school Puerto Rico when --
9 when I first came over there, though, yeah.

10 Q. When you came back from Puerto Rico to
11 the United States, did you go to school in the
12 United States?

13 A. I also did, yeah.

14 Q. Do you remember what grade you were in
15 or what school you were at when you came back to
16 the United States to live here from Puerto Rico?

17 A. I was elementary school. I say it
18 right, elementary school? Elementary school.

19 Q. "Eleventary" or secondary?

20 A. No, no. What they call that?

21 Elementary. I was just in --

22 MS. BONJEAN: Elementary.

23 THE WITNESS: Elementary. Yeah. Sorry,
24 sorry, sorry, though.

1 BY MR. BRUEGGEN:

2 Q. Not a problem, sir. You're doing
3 great.

4 A. I'm not perfect.

5 Q. Not a problem. None of us are. But
6 you're doing great, so ...

7 You came back when you were in
8 elementary school in the United States?

9 A. Yes, that correct.

10 Q. Where did you guys move when you came
11 back to the United States?

12 A. We were living on Kedzie and North
13 Avenue, 1530 North Kedzie.

14 Q. Did you complete elementary school in
15 the United States?

16 A. No.

17 Q. What happened -- or strike that.

18 Did you drop out of elementary
19 school?

20 A. No, not really. I quit.

21 Q. How old were you when you quit school?

22 A. I was young. I was very young.

23 Q. Were you under 12?

24 A. Somewhere around there maybe.

1 Q. When you came back to the United States
2 to live here, do you recall if you were older than
3 16 or younger than 16?

4 A. I was young. I was very young.

5 Q. Do you know why you came back to the
6 United States from Puerto Rico?

7 A. Well, we went -- everywhere that mom
8 go, we got to go, you know. Just a psychological
9 thing though, you know. If she said we going here,
10 that's where we go, there. Whether you don't like
11 it, you -- she going to drag you and take you there
12 with you.

13 Q. Understandable.

14 Do you recall --

15 A. Didn't have a choice.

16 Q. I'm sorry, sir.

17 A. I didn't have no choice. I'm sorry.

18 Q. Understandable. You know, your parents
19 tell you where to go, you go. So ...

20 So do you recall going to a junior
21 high school in the Chicagoland area?

22 A. Yeah. I did -- I did went back to
23 school when I was young, and basically I -- somehow
24 I made it to high school and quit again. I was a

1 dropout.

2 Q. So you went back and you did junior
3 high school at some point?

4 A. At some point.

5 Q. Do you remember when that was?

6 A. That was long time ago, long time ago.

7 Q. And when I say "when," you can tell me
8 how old you were or what year it was, if you have a
9 recollection.

10 A. Probably early '80s. Yeah. '80s.

11 MTV, all that stuff coming out. Earlier '80s,
12 yeah.

13 Q. In junior high were your classes in
14 English?

15 A. Bilingual. Spanish, English. I only
16 had two English class, though, you know. Most of
17 them, they were all Spanish.

18 Q. So you had mostly Spanish classes, but
19 you also had English classes?

20 A. Yeah. Two -- two period.

21 Q. And were you learning to speak English
22 in those English classes?

23 A. I was hardheaded. I -- I won't lie to
24 you. School was never -- it was never my type, my

1 cup of -- my cup of coffee, though.

2 Q. Ultimately you graduated from junior
3 high and made it to high school?

4 A. No. I did -- I graduate from junior
5 high. I went to high school, but then I drop --
6 drop out.

7 Q. Do you know how many years you were in
8 high school before you dropped out?

9 A. It was second year of high school that
10 I was a dropout.

11 Q. While you were in high school, did you
12 take any classes in English?

13 A. Only -- the only classes that I had in
14 English, it was two classes of English, first
15 period and second period. That's about it.

16 Q. How old were you when you dropped out
17 of high school?

18 A. Oh, I was in my teens. Yeah, I was
19 young.

20 Q. Can you give us a general idea? Before
21 you were arrested for the case we're going to talk
22 about today, do you remember how many years prior
23 to that you had dropped out of high school?

24 A. I -- I cannot even remember, but it was

1 long time ago. That's -- that's what I can say,
2 though, long time ago.

3 Q. While you were in high school, did you
4 participate in any extracurricular activities or
5 any activities through the school?

6 A. Yeah. When I was in high school, I
7 was -- I joined the band, the high school band.

8 Q. Was there a particular instrument that
9 you played?

10 A. The trombone.

11 Q. When did you start playing the
12 trombone?

13 A. Oh, as soon as -- as soon as one come
14 get into my hand, that's when I -- that nice
15 instrument. I remember back in the day when -- you
16 know, when music used to be music. There was this
17 guy name Willie Colón, very good trombonist,
18 though, you know, and everybody would love one day
19 to play music just like him.

20 So it happened that I had one in my
21 hands, so I grabbed the chance. I just started
22 playing. So the teacher said, Man, you like -- you
23 natural. So the rest was history.

24 Q. So did you take band class in high

1 school or --

2 A. Yes, I did, band class.

3 Q. And you learned the notes and how to
4 play the trombone?

5 A. Little bit. That's what good about the
6 technology now. You don't need to know that --
7 none of that, though. I mean, the computer do most
8 of the work for you. The only thing you have to do
9 is just add a rhythm. That's it.

10 Q. Mr. Maysonet, can you tell us why you
11 dropped out of high school?

12 A. I guess, you know, doing the easy life.
13 I took the route, the easy life.

14 Q. What do you mean by you "took the easy
15 life"?

16 A. Just, you know, back in the day, it was
17 hard to work. It was hard to -- you know, to go
18 and sell the newspaper. I did sell the newspaper
19 one point, but there were all those -- all those
20 stuff that was more interesting, though, you know.
21 They attract me more, though.

22 Q. So did you drop out of high school to
23 get a job?

24 A. Yeah, basically.

1 Q. What job did you get when you dropped
2 out of high school?

3 A. I was selling the newspaper and buffing
4 shoes.

5 Q. When you say selling newspaper, were
6 you selling it on the street or were you delivering
7 papers?

8 A. No. Selling in the street.

9 Q. You said you also shined shoes?

10 A. Yes, I did.

11 Q. Where did you -- where did you shine
12 shoes?

13 A. Right there on the -- on right corner
14 of Federal Building on Randolph.

15 Q. When you were selling the newspaper,
16 did you work for a company or were you working for
17 yourself?

18 A. I was just working for myself.

19 Q. Do you remember how old you were when
20 you were selling the newspaper?

21 A. I was young, really young.

22 Q. Under 18?

23 A. That was right probably after - right
24 after I drop off from high school.

1 Q. Where would you sell newspapers?

2 A. Right on -- on Randolph and -- right in
3 front of the Federal Building. Or the Daley Plaza.

4 Q. Were you also shining shoes at the same
5 time you were selling newspapers?

6 A. Yes, I did. Yeah.

7 Q. And for shining shoes, did you have
8 like a shoeshine kit?

9 A. I had a wooden box. Yes, I did.

10 Q. Did you have a chair or something that
11 the customers could sit in?

12 A. Yeah. I had a little chair, yeah.

13 Q. So would you travel from your house in
14 Humboldt Park downtown to then set up to shine
15 shoes?

16 A. Yes. In the morning, yeah.

17 Q. How long did you sell newspapers over
18 there by the federal building?

19 A. Just in the morning. Basically that's
20 when you do most of your, you know, newspaper
21 sales, though, you know.

22 Q. And how many years were you selling
23 newspapers? Did you do that for many years?

24 A. Not for long I didn't. I mean, after

1 so long, you get tired doing it and you move on to
2 go do other -- other stuff.

3 Q. What about with shining shoes, was that
4 at the same time as selling newspapers?

5 A. Yeah, same. The -- the newspaper and
6 shining shoes are the same time.

7 Q. So after you stopped selling newspapers
8 and shining shoes, did you find a new job?

9 A. No, no.

10 Q. While you were in high school, what did
11 you do with your free time when you weren't in
12 school?

13 A. Sell drugs.

14 Q. Did you -- did you say sell drugs?

15 A. Yes, I did.

16 Q. When did you start selling drugs?

17 A. Once that I stopped selling shoes -- I
18 mean, buffing shoes and selling newspaper.

19 Q. Did you do anything else in your free
20 time and -- and now let's go back to when you were
21 in high school.

22 A. No.

23 Q. You -- obviously you said you were in
24 the band, right?

1 A. Yeah.

2 Q. Any other activities you would do in
3 your free time? Did you play any sports, go play
4 soccer or basketball in the parks?

5 A. Most of the time back in the day, just
6 the music, the music. That's basically what I --
7 what I liked, you know. I come from a musician
8 family background. My grandpa, he was a musician
9 himself, though. And when I was in Puerto Rico, I
10 learned a lot from him. He used to play guitar.

11 Q. While you were in high school, going to
12 high school, did you hang out with your brother?

13 A. With my -- with my real brother, yes.
14 Yes, I did.

15 Q. What would you and your brother do
16 while you were in high school?

17 A. Just hanging around and talking, you
18 know. See what happen in the day, you know,
19 talking about girl. You know, just normal -- what
20 normal brothers do, you know, when they go to high
21 school.

22 Q. After you dropped out of high school,
23 did you continue to hang out with your brother?

24 A. No. My -- my mom got to the point that

1 she kind of -- you know, she kind of thought, you
2 know, that I was the black sheep and, you know, he
3 didn't want him -- you know, me influencing him and
4 stuff, you know, how are you to do and, you know,
5 obeying her and stuff like that. I mean, I'm not
6 going to say -- I was not an angel, though, you
7 know, I mean, you know, growing up, though. So,
8 yes. Took the easy route, I guess.

9 Q. So did you say your mom saw that you
10 were the -- the black sheep; is that what you said?

11 A. Yeah. I mean, what --

12 Q. You were --

13 A. -- parent don't know -- what parent
14 don't know his kid, though, you know. So ...

15 Q. So did your -- is it your understanding
16 that your mom believed you were a bad influence on
17 your brother?

18 A. She didn't want me to, you know.
19 She -- she kind of knew that I started turning out,
20 you know, bad, though, you know. And that's how I
21 be in Puerto Rico so many times away from
22 everybody, though, you know. So, I mean, that was
23 the punishment.

24 Q. What was the punishment, sir?

1 A. Sending back to Puerto Rico with --
2 with grandma.

3 Q. So your -- your mom would send you back
4 to Puerto Rico for how long of a time?

5 A. Just to they know that I -- I was okay
6 to come back again, come back again. And once I
7 start acting bad again, she just send me back to
8 Puerto Rico again.

9 Q. What types of things were you doing
10 that resulted in you being sent back to Puerto
11 Rico?

12 A. Doing bad stuff, just doing bad stuff.

13 Q. Can you tell me what the bad stuff is?

14 A. Sure. Selling drug. When I got caught
15 selling drug one day, my mom, she just beat the
16 crap out of me.

17 Oh, I'm not supposed to say stuff
18 like that.

19 Anyway, I'm sorry about my language.

20 Q. It's okay, sir.

21 A. Yeah. And she told me -- you know, she
22 told me -- tell me that you found this. And I told
23 the truth. I said, No, mom, I'm -- I'm selling
24 this just to make a living for me, though. And she

1 just, why, you know, I didn't -- I didn't raise you
2 for you to be coming to do this and that or
3 nothing.

4 I really -- I really got it real bad
5 that day. I be in Puerto Rico almost -- almost a
6 year. And being with grandma, even though a very
7 lovely grandma, you know -- I'm being realistic,
8 you know. Being with grandma, grandma give you the
9 punishment, though, you know. Remember, back in
10 those days not like now.

11 If they all throw rice in the floor
12 and you got to knee down in the floor for an hour,
13 that was a lot, you know, that type of punishment.

14 Just to go to the -- just to go to
15 the -- to the mailbox, she used to spit in the
16 floor. She used to say, If by the time you go and
17 come back, if that spit right there is dry, you
18 going to get it. So you have to go. And then when
19 you start running, No, no run, you just go and walk
20 and come back the same way, make sure that you
21 cross the street the right way, though, you know.
22 But you always seen the -- you know, every time she
23 turn around, poom, then we just run, hurry up
24 before the saliva dry.

1 Q. Okay. So on one occasion, your mom
2 caught you selling drugs and sent you to go live
3 with your grandmother for a period of time?

4 A. Yeah.

5 Q. Do you remember when that was?

6 A. I was young. I was -- I was very
7 young.

8 Q. Was that after you had stopped going to
9 high school?

10 A. Yeah, yeah.

11 Q. How long were you in Puerto Rico with
12 your grandmother when your mom sent you there?

13 A. Like almost a year, something like
14 that. I can hardly remember, but I know it was for
15 a while, though.

16 Q. When you went to Puerto Rico to live
17 with your grandmother at that time, what were you
18 doing down in Puerto Rico?

19 A. They have me -- they have me cleaning
20 the pig, whatever, the cow, whatever, the chicken.
21 I was doing -- you know, I was doing stuff that
22 nobody ever want to do, you know, being a city boy.
23 So I had to be, you know, on the farm with grandpa
24 helping him doing -- just doing the dirty work.

1 Q. So that's one time that your mom caught
2 you.

3 Can you tell me what were the other
4 bad things that you were doing that you got
5 punished for by your mom and sent to Puerto Rico?

6 A. That was it, though, I guess. I mean,
7 just hanging around and doing, you know, the stuff
8 that I do, you know. Just anything -- anything
9 that get her mad, though, you know, it just --
10 that's how I get punished.

11 Q. When did your mother meet Rafael, your
12 stepfather?

13 A. I was young. I was real, real young.
14 I was just like right -- right when my mom, I
15 believe, separated from my -- from my real dad. I
16 know my sister, she was a baby. She was just like
17 a little tiny thing like that. It was long, long
18 time ago, yeah.

19 Q. Did you meet Rafael while you were
20 lived in Puerto Rico with your mom next to your
21 grandmother?

22 A. Yeah, yeah.

23 Q. So after you came back to the United
24 States, did Rafael live with you and your mom and

1 your brother and sister?

2 A. Yeah.

3 Q. Now, you said he's your stepfather, or
4 that's what -- how you refer to him, right?

5 A. Well, he my stepfather, but, you know,
6 he raised me since he was a kid, so -- but normally
7 most of the people, I say he's my dad, though, just
8 not -- not to give them the whole story. Oh, yeah,
9 you know, that not my real dad, you know, my --
10 but, you know, I just tell, yeah, he's my dad, yes.

11 Q. And did he act like your dad and
12 discipline you for stuff?

13 A. Yes. Yes, he do. Yeah. But he
14 different, though, you know. He just sit with me
15 and we -- you know, especially now that I'm older,
16 though, you know, we sit and talk, you know, just
17 like two grown men. Very good man. He's a good,
18 good man, though, you know, like a father.

19 Q. When you first dropped out of high
20 school and were selling the newspapers and the --
21 doing shoe shines, did you contribute financially
22 to your household?

23 A. I was just a kid. I do what I -- you
24 know, what I could, you know. I mean, I didn't

1 make -- I didn't make much like people do now,
2 though, but I helped whenever I can help, though,
3 basically.

4 Q. What about when you were selling drugs?
5 Did you contribute some of the money you would earn
6 from selling drugs and give that to your mom to
7 help pay bills?

8 A. She didn't want to, said dirty money,
9 no good.

10 Q. Before you dropped out of high school,
11 did you have any close friends while in high
12 school?

13 A. Just people that you met, you know, in
14 high school, though, you know. I don't even
15 remember they names of -- you know. Yeah, they --
16 as a kid, though, you know, you always met people,
17 you know. I don't go see no like friend or --
18 yeah. I mean, normal people, school stuff.

19 Q. So no best friend in high school?

20 A. No.

21 Q. Back in the late 1980s, did you have
22 any other family that lived in the Chicagoland
23 area?

24 A. No, not really.

1 Q. And when you say "not really," what do
2 you mean by not really?

3 A. Well, we was only -- we just a small
4 family, you know, just my mom, my -- my stepfather,
5 my brother, and sister, though. So, you know, now
6 everybody got kids now, so the family growing now.
7 So ...

8 Q. But at the time it was just you, your
9 mother, stepfather, brother, and sister?

10 A. Yes, yeah.

11 Q. No aunts or uncles in the Chicagoland
12 area?

13 A. No.

14 Q. Back in the late 1980s, did you own a
15 car?

16 A. Yes, I did.

17 Q. When did you get your car?

18 A. It was -- it was -- it was in the '80s
19 when I -- my first car, when I first bought my
20 first car, it was just when I start probably
21 selling the newspaper I bought a car. I bought a
22 Toyota. That was my first car, a Toyota.

23 Q. Do you remember what model it was?

24 A. It was a Toyota Corolla.

Q. Do you recall how old you were when
you bought that Toyota Corolla?

3 A. I was -- I was real young. I got --
4 matter of fact, I got myself in trouble for that
5 when my mom -- that I had a car.

6 Q. How did you get yourself in trouble for
7 that?

8 A. I was not old enough to drive.

9 Q. So you bought a car before you were old
10 enough to drive?

11 A. Yes, I did.

12 Q. How did you have money to buy a Toyota
13 Corolla?

14 A. Just selling drugs. So easy to make
15 money back in the day, though, selling drugs.

16 0. What drugs were you selling?

17 A. I was -- I was selling -- I was selling
18 marijuana, though.

19 Q. Any other drugs that you sold?

20 MS. BONJEAN: Hold on.

21 Objection to the foundation of that
22 question.

23 BY MR. BRUEGGEN:

Q. So, Mr. Maysonet, let me clarify, back

1 before -- before you dropped out of high school,
2 were you selling drugs?

3 A. That's what -- that's basically when --
4 when I started, though, but, you know, I took the
5 newspaper job first and I saw somebody else doing
6 more money than I was making. That's when I said,
7 I'm in the wrong business. I decided to sell drugs
8 after that.

9 Q. So you did not sell drugs while you
10 were in high school?

11 A. When I was in high school, I probably
12 did so. I probably did so. That's what started it
13 all.

14 Q. What color was your Toyota Corolla?

15 A. It was blue. My favorite color, blue.

16 Q. Did you have any other cars prior to
17 your arrest in this case?

18 MS. BONJEAN: Wait -- okay. Go ahead. You
19 can answer.

20 THE WITNESS: I had a '75 Super Sport
21 Oldsmobile. I did have a '77 Cadillac Seville.
22 And also I had a motorcycle too; it was a Yamaha.

23 BY MR. BRUEGGEN:

24 Q. And the '75 Super Sport Oldsmobile,

1 what color was that?

2 A. Green, candy apple green.

3 Q. Did you own that at the same time as
4 the Toyota Corolla?

5 A. Yes, I did.

6 Q. What about the -- you said a '77, was
7 it a Cadillac Seville?

8 A. A Cadillac Seville.

9 Q. What color was that?

10 A. That was red.

11 Q. Did you own the Cadillac Seville at the
12 same time you owned the Corolla or the Oldsmobile?

13 A. Yes, I did.

14 Q. So did you own all three cars at the
15 same time?

16 A. At the same time.

17 Q. How did you afford to buy those three
18 cars?

19 A. Like I said, the drug money back in the
20 day, it was so good. I'm not gonna sit in here and
21 lie to you.

22 It legal now, right, selling drug
23 now?

24 MS. BONJEAN: Marijuana?

1 THE WITNESS: Marijuana, yeah. They got
2 store for it.

3 BY MR. BRUEGGEN:

4 Q. Mr. Maysonet, prior to your arrest in
5 this case, were you a member of any gang?

6 A. Yes, I did.

7 Q. What gang were you a member of?

8 A. Latin King.

9 Q. How old were you when you joined the
10 Latin Kings?

11 A. I was very young when I joined the
12 Latin King.

13 Q. When you say "very young," was it
14 before you started high school?

15 A. Before I started high school.

16 Q. Did you have a nickname when you were
17 in the Latin Kings?

18 THE WITNESS: Can I say that?

19 MS. BONJEAN: Yeah, you can tell him.

20 THE WITNESS: Yes.

21 BY MR. BRUEGGEN:

22 Q. What was your nickname, sir?

23 A. Double J.

24 Q. Did you have any other nicknames or

1 street names while you were with the Latin Kings?

2 A. No.

3 Q. Did -- how long after you came back to
4 the United States from Puerto Rico did you join the
5 Latin Kings?

6 A. I was real young. I was -- I probably
7 was still elementary school when I started to join
8 the gang.

9 Q. You were in elementary school when you
10 joined the gang?

11 A. Yeah. I was real young.

12 Q. And the Latin Kings, are they part of
13 People or the Folk Nation?

14 MS. BONJEAN: You can answer.

15 THE WITNESS: People.

16 BY MR. BRUEGGEN:

17 Q. When you were with the Latin Kings, did
18 any -- strike that.

19 The Latin Kings had rival gangs; is
20 that right?

21 A. Um-hmm.

22 Q. Yes?

23 A. Yes, yes.

24 Q. And would you know the nicknames of

1 people in the rival gangs?

2 A. Knew quite a few, yeah.

3 Q. Do you know if any rival gangs had a
4 nickname for you?

5 A. No. They -- everybody know me --
6 everybody know me by that name, Double J.

7 Q. Were you ever called King Leo?

8 A. No.

9 Q. Do you know if any other gang referred
10 to you as King Leo?

11 A. No.

12 Q. Now, with the Latin Kings, were there
13 multiple sets of Latin Kings in the Chicagoland
14 area?

15 A. Yes.

16 Q. And can you tell us what a set is?

17 THE WITNESS: Can I say that?

18 MS. BONJEAN: Yeah, go ahead. You can answer
19 that.

20 THE WITNESS: I don't want to get myself in
21 trouble, though.

22 A set, a set is where a body or
23 number of people will take control. And if you
24 want to hang out by some corner in the street, and

1 depending how long and the number of people that
2 you got, the -- if you selling drugs or whatever,
3 you just can -- you claim that as your corner,
4 nobody else can mess with it, though, you know. We
5 all follow the Latin King Nation, you know. We all
6 can say something, though, you know. It's always,
7 you know, when you sell drugs, you know, you always
8 got to -- that's how we are fearful for the gang,
9 you know. We call it a -- you know, the bank, the
10 financial bank, so. Yeah. We could sell anywhere,
11 you know, as long as you a Latin King in the
12 neighborhood, yeah.

13 BY MR. BRUEGGEN:

14 Q. So were -- were sets known kind of
15 geographically either by a street corner or by
16 cross streets?

17 A. Street corner, yeah.

18 Q. In the Chicagoland area, was there any
19 type of leadership in the Latin Kings above all the
20 sets?

21 THE WITNESS: Answer that?

22 MS. BONJEAN: Yeah.

23 THE WITNESS: Yeah.

1 BY MR. BRUEGGEN:

2 Q. And do you know how that leadership was
3 structured in the Latin Kings in the late 1980s?

4 A. Yeah. I guess from the chief, from --
5 from the right-hand man for the chief, enforcer, to
6 the treasurer -- the treasurer person.

7 THE COURT REPORTER: I'm sorry. The what
8 person?

9 THE WITNESS: The treasurer.

10 THE COURT REPORTER: Thank you.

11 BY MR. BRUEGGEN:

12 Q. The treasurer like person who handles
13 the money?

14 A. Yes.

15 Q. And so was the -- the chief and the
16 enforcer and the treasurer, were they above all the
17 sets in the Humboldt Park neighborhood?

18 A. Yes.

19 Q. Were you in a specific set of Latin
20 Kings?

21 A. I was. I was.

22 Q. And what was your set or how would you
23 identify that set?

24 A. Kimball and Wabansia.

1 Q. Wabansia and Kimball?

2 A. Yeah. Or Kimball and Wabansia we
3 prefer it back then, KW.

4 Q. And were you in the same set when you
5 were in the Latin Kings the entire time you were in
6 there?

7 A. Say that question again. Sorry.

8 Q. And so maybe I should start back with
9 did Latin Kings, would they change sets?

10 MS. BONJEAN: Objection. I'm sorry.

11 Objection to form, foundation of that question.

12 If you understand the question, you
13 can answer. If you don't, tell him you don't
14 understand it.

15 THE WITNESS: Can you be more specific,
16 though, so I can ...

17 BY MR. BRUEGGEN:

18 Q. Yeah. And what I'm asking is, you
19 know, you said you were in the set at Kimball and
20 Wabansia. Could you switch and be at a set at a
21 different, you know, corner if you wanted to go
22 hang out with different guys?

23 A. Oh, yeah, you could. Yeah, you could.

24 Q. So did you ever --

1 A. If you have approval, only if you have
2 approval.

3 Q. Okay. Did you ever switch sets or were
4 you always with Kimball and Wabansia?

5 A. Never.

Q. You never switched sets?

7 A. Never.

8 Q. And I think you explained when you were
9 explaining a set, they would control a certain
10 corner?

11 A. Yeah.

12 Q. And was there a corner that they could
13 sell drugs from?

14 A. Yes.

15 Q. Did they control a larger area, you
16 know, that people weren't supposed to sell drugs
17 anywhere close to that?

MS. BONJEAN: Objection: form, foundation.

19 Go ahead. If you understand, go
20 ahead.

21 THE WITNESS: Once -- once you got that
22 corner, I mean, nobody else from another set from
23 Latin King that can come in there and -- and deal.
24 No, you can't. You got to respect it, though, you

1 know, if you do so.

2 BY MR. BRUEGGEN:

3 Q. And what I'm trying to understand is
4 did you have like a territory beyond that corner
5 that was kind of your territory that you would look
6 out for and protect that nobody could come to that
7 territory to sell drugs?

8 A. At Kimball and Wabansia, that's
9 basically where we do everything, yeah. I mean, on
10 that corner there, like I said, nobody could come
11 from nobody -- from all the set and sell drug
12 unless, you know, we give them the okay.

13 Q. And could somebody sell drugs a block
14 away on another corner? Was that okay?

15 A. No.

16 Q. Why not?

17 A. Taking our customers away.

18 Q. So if you're on Kimball and Wabansia,
19 you didn't want other people selling drugs, you
20 know, just a block away on another corner because
21 it'd take your customers away?

22 A. Yeah.

23 Q. So how far did your -- you know, and I
24 don't know if you like the word turf or territory,

1 expand where if you've got Kimball and Wabansia,
2 how far -- how many blocks away would it go where
3 no one could sell drugs in that area without your
4 permission?

5 A. It's -- you know, you got to be pretty
6 much, you know, far away where nobody -- where
7 nobody would know. Basically, though, you know, we
8 didn't -- we didn't want no competition within the
9 same organization, though, basically. You know,
10 if -- if -- my set, we move Kimball, Wabansia, our
11 territory basically, even from -- from -- I will
12 say from -- from Sawyer all the way to -- all the
13 way to Spaulding, all the way to Wabansia, all the
14 way -- you know. It's a bigger territory. As long
15 as nobody can be doing in that geographical area,
16 though, everything was okay. I mean, it's all
17 about money.

18 Q. So you -- you had a general area that
19 you controlled and you would sell the drugs on
20 Kimball and Wabansia. Am I understanding --

21 A. Yes.

22 Q. -- you correct?

23 And nobody could come into that
24 general area without your permission, right?

1 A. Well, not with my permission. With
2 somebody else permission, yeah.

3 Q. I'm sorry. Without the -- the set's
4 permission.

5 A. Exactly.

6 Q. And did various Latin King sets, you
7 know, kind of have an understanding amongst
8 themselves that that's your territory, this is our
9 territory?

10 A. That's how it was, you know. It would
11 be like that.

12 Q. Was there a leadership structure in
13 your set?

14 A. Yes. Yeah, there was.

15 Q. And what was the leadership structure
16 in there? What were the leadership roles?

17 A. Just make sure everything was -- you
18 know, our quality, though, you know, no problem
19 with other -- other Latin King and, you know,
20 everything -- everything had to be cool and, you
21 know, peacefully. You know, you -- when you deal
22 with -- when people deal with a number of -- of
23 people like that, you know, they solve with
24 problem, you know, they solve with, you know,

1 confrontation, you know, especially with money, you
2 know. But that was then. I don't know how they do
3 it now.

4 Q. No. I understand that, sir. I'm
5 asking just about your knowledge from back in --
6 and we'll constrain it just to the 1980s, the late
7 1980s. Okay?

8 A. Uh-huh.

9 Q. So at that time -- at the time you
10 joined, do you know who the leader of your set was
11 at Wabansia and Kimball?

12 MS. BONJEAN: I'm sorry. At the time he
13 joined in middle school?

14 MR. BRUEGGEN: Yes.

15 MS. BONJEAN: Or whenever. I don't -- I
16 don't want to mischaracterize his testimony.

17 MR. BRUEGGEN: Yeah.

18 MS. BONJEAN: So when he was younger.

19 MR. BRUEGGEN: Yes. When he first joined,
20 who the leader of the set was.

21 MS. BONJEAN: Okay. Object -- I'm going to
22 object to the form of that question.

23 But if you -- if you recall.

24 THE WITNESS: No. I don't -- I don't

1 remember back then, though, no.

2 BY MR. BRUEGGEN:

3 Q. Do you remember any of the leaders of
4 the set that you were in in the 1980s?

5 A. In the 1980s, Macho.

6 Q. And do you know Macho's real name?

7 THE WITNESS: Can I say his name?

8 MS. BONJEAN: Yeah, you can say it.

9 THE WITNESS: Santiago Sanchez.

10 BY MR. BRUEGGEN:

11 Q. Do you remember when Santiago Sanchez
12 was the -- the leader of your set?

13 A. No.

14 MS. BONJEAN: When you say when he became the
15 leader or like -- I guess I'll object to the form
16 of that question.

17 BY MR. BRUEGGEN:

18 Q. When he was the leader, any years he
19 was the leader.

20 A. I say I guess when we opened that set,
21 though, in the '80s, late '80s, yeah.

22 Q. Can you tell me what you mean when you
23 said we opened that set in the late '80s?

24 A. Yeah. That was his -- that was his

1 part of his neighborhood he would never touch
2 because the danger that occurring there, though.
3 You got to remember, a block away there was a rival
4 gang and --

5 Q. Who was the -- sorry. Go on with your
6 answer, sir.

7 A. It was a rival gang, you know, the next
8 block. So -- and back in the day, you know, if you
9 didn't have curfew, somebody from the other side,
10 you know, it was so close, they opposite the
11 borderline, and you could get shot. So you had a
12 curfew back then.

13 Q. Who was the rival gang?

14 A. Insane Gangster, or IG how they know.

15 Q. Do you know where they were located or
16 what their area was that they controlled?

17 A. They were controlling on Kimball and
18 Cortland.

19 Q. So when you say you started the set at
20 Wabansia or where -- when it opened, were you with
21 a group of guys who basically made that corner
22 yours.

23 A. Yep, um-hmm.

24 Q. Was that at the time you joined or was

1 that after you had been a member for some time?

2 A. After.

3 Q. Where was your set when you first
4 joined?

5 A. Right on Kimball and Wabansia. That's
6 where -- when -- when I started being a Latin King,
7 I would just a peewee, just -- when you -- when you
8 a shorty, you know, you don't be on no set. You
9 just everywhere. You know, you just like being
10 approved by everybody gang, though, you know, or
11 set, should I say, though, you know.

12 Once you reach -- you know, reach
13 certain age, it's up to you where you want to go or
14 where you want to join, though, you know, with
15 somebody approval, though. So it happened that we
16 open the Kimball and Wabansia. It was a corner,
17 kind of quiet, though, you know, had perfect for
18 what we wanted it for.

19 Q. So who else was involved in opening up
20 the corner for your set at Kimball and Wabansia?

21 A. It was me and 11 other guy.

22 Q. And was Santiago Sanchez one of those
23 11 other guys?

24 A. Yes.

1 Q. Who was the leader of the set when that
2 was opened up with and the 11 other guys?

3 A. Santiago Sanchez.

4 Q. Do you remember the names of the other
5 guys who opened up that set with you?

6 A. I don't remember their real name, but I
7 remember, you know, like the street name.

8 Q. Yeah, if you -- if you can give me the
9 street name and if you remember the real name, tell
10 me both. I would appreciate that, sir.

11 A. I do remember some -- some of the
12 nickname. Like Tank, Peewee, Little D, Baby D,
13 Tino, Ivan. What did I forgot? Me, Macho. I
14 don't know if that got everybody in there, though,
15 but some of them I can remember now.

16 Q. I understand that. I'm just asking
17 whatever you can recall.

18 A. Yeah.

19 MS. BONJEAN: He answered it. Go ahead.

20 BY MR. BRUEGGEN:

21 Q. So Santiago Sanchez was the leader of
22 the set at Wabansia and Kimball?

23 A. Yes.

24 MS. BONJEAN: Objection, asked and answered.

1 BY MR. BRUEGGEN:

2 Q. And so what I'm trying to figure out is
3 did the leader of the set have a name? You would
4 use the word chief earlier for the leader of all
5 Latin Kings. Was there a name for the leader of
6 this set?

7 A. You mean the set from Kimball and
8 Wabansia?

9 Q. Yes.

10 A. Macho.

11 Q. Yeah. Did he have a title? Was he
12 called like a chief or something like that?

13 A. We don't call him the chief, though.
14 Everybody know who he is, though, you know, so why
15 refer him to a title, though, you know?

16 Q. Understand.

17 Was there any other type of
18 leadership structure, like did Santiago have guys
19 that were below him that were above all the other
20 members?

21 A. Yes.

22 Q. And who were those guys?

23 A. Tank is one of them. And --

24 MS. BONJEAN: I'm going to object, asked --

1 you asked this question, he answered it, but go
2 ahead. You can ask -- ask it again.

3 THE WITNESS: The treasurer was Peewee. The
4 enforcer was Macho. Macho, you know, he -- that's
5 what I love about him. He was just very talent
6 person, though, you know. He -- he didn't need
7 much. Tough guy. You know, it was mostly enough
8 to take over anywhere we want.

9 It's how it was back then, though,
10 you know. I mean, we were cool guys. We were not
11 bad people, though. I mean, I don't care what
12 people used to say about us, though. We never did
13 bad other than sell drugs, that's about it.

14 BY MR. BRUEGGEN:

15 Q. And so underneath Macho, the next
16 leaders in your set would have been Tank and
17 Peewee?

18 MS. BONJEAN: I'm going to object to
19 mischaracterization of his testimony. That --

20 MR. BRUEGGEN: And that's what I -- I'm not
21 trying to mischaracterize. I'm just trying to
22 understand.

23 BY MR. BRUEGGEN:

24 Q. Macho was leader of your set. We've

1 established that. I'm wondering was there somebody
2 who was below him who also had -- was a leadership
3 role other than Macho?

4 A. No.

5 Q. Okay. So Macho and then the other
6 ten guys would be below Macho?

7 A. Yeah.

8 Q. Did all the guys sell drugs at -- in
9 your set at Wabansia and Kimball?

10 A. No, not -- not too -- you know, not
11 everybody, not everybody sold drugs, though. Some
12 of them they had jobs. Some of them had real job,
13 though. Believe it or not.

14 Q. So some guys had real jobs and other
15 guys sold drugs?

16 A. Yes, yeah. Some of them they went to
17 school too, when we was, you know, hanging around,
18 though, you know. We were not -- we were not bad
19 people, though. I said, though, you know, we were
20 just a bunch of kids and, you know, we just -- we
21 just -- I guess we have -- have the future, though,
22 you know, should we say, though, right? I mean, we
23 were trying to survive.

24 Q. From the time that you opened up that

1 set at Wabansia and Kimball, did you ever have an
2 increase in number of members or did it remain
3 those 11 guys?

4 A. Yes. We were only 12. That's it. We
5 don't need no more -- we don't need more added,
6 though.

7 Q. What set -- or what drugs did your set
8 sell?

9 A. We were selling pretty much, you know,
10 weed and -- and some cocaine too, though, you know.

11 Q. And was that sold at the corner of
12 Wabansia and Kimball?

13 A. Yes.

14 Q. Did you sell at any other corners in
15 the general area?

16 A. No. Maybe driving around and
17 somebody -- you know, you see somebody, somebody,
18 you know, wanted you to sell something. You have
19 something? Yeah, you like that? Yeah, cool. You
20 know, just not on nobody corner is what matter,
21 though.

22 Q. So from your corner at Kimball and
23 Wabansia, how far did your territory go where no
24 one could come in that territory without your

1 permission?

2 A. I would say probably like five blocks,
3 five square blocks, though, I'll probably say.

4 Q. Okay. So like two to three blocks in
5 any direction from that corner?

6 A. Exactly, yeah.

7 Q. When you were with that set, where were
8 you living?

9 A. I was living on -- I was living on
10 Homan and Potomac.

11 Q. Was that -- would that have been south
12 of where you were -- your set met?

13 A. I don't understand that question.

14 Q. Homan and Potomac, how far away is that
15 from Kimball and Wabansia?

16 A. Oh, how far. Wow. Probably --
17 probably like nine blocks away.

18 Q. And were there other gangs or other
19 sets of gangs between your home and your set at
20 Kimball and Wabansia?

21 A. Yes.

22 Q. And were they Latin Kings or --

23 A. Yeah Latin King, Latin King. Humboldt
24 Park's a big area, though, you know. Humboldt

1 Park's a real, real big area, though, you know,
2 just bunch of sets.

3 Q. And what was the set closest to your
4 home at Homan and Potomac?

5 A. Probably -- Homan and Potomac, a block
6 away.

7 Q. And because you were a Latin King, you
8 could walk through their territory without any
9 problems if you needed to get up to your area?

10 A. Yeah. I -- as long as it's my -- if
11 it's the same territory, yeah, we shouldn't have no
12 problem.

13 MR. BRUEGGEN: So, Mr. Maysonet, we've been
14 going for about an hour or so, little over an hour.
15 I'm going to take just a quick break so you can
16 stand up, stretch, you know, get some more coffee,
17 get a drink, use the facilities. And we'll be back
18 in like two to three minutes. That okay?

19 MS. BONJEAN: Can we get five?

20 MR. BRUEGGEN: Yeah. Five minutes is fine.
21 I was just --

22 MS. BONJEAN: Okay. See you in five.

23 THE VIDEOGRAPHER: We're off the video record
24 at 11:19 at the end of Media Unit 1.

1 (Recess taken.)

2 THE VIDEOGRAPHER: We're back on the video
3 record at 11:28 at the beginning of Media Unit 2.

4 BY MR. BRUEGGEN:

5 Q. Mr. Maysonet, you ready to begin again?

6 A. Yes.

7 Q. All right. So when we -- we left we
8 were talking about Latin Kings and various sets and
9 specifically your set at Wabansia and Kimball.
10 Okay?

10 | Okay?

11 A. Yeah.

12 Q. And so moving on from that, did you
13 your set at Wabansia and Kimball, did you have
14 specific rules for your set that the gang members
15 had to follow?

16 THE WITNESS: Can I say?

17 MS. BONJEAN: Yeah. You can answer.

18 THE WITNESS: Yeah, we -- we did. You know,
19 just like any -- any normal -- I'll say any normal
20 organization, you know, you got to have the rules
21 set in place, though, so everybody be in, you know,
22 check.

23 BY MR. BRUEGGEN:

Q. Can you tell us what some of those

1 rules were for your -- strike that. Let me step
2 back.

3 Were the rules specific just to your
4 set or for all Latin Kings?

5 MS. BONJEAN: Objection to the form of that
6 question.

7 If you know, you can answer.

8 THE WITNESS: Well, we have -- there's two
9 rules. You got the rule from the whole gang and
10 then you got rule -- I'm going to say it like this
11 so you can understand it better, you know, my best
12 of my knowledge. We have what we call
13 constitutional rules. So constitutional rule, you
14 can make any rule as long as it is above the rule
15 from the Nation, though, which, that's all the
16 Latin King. So yeah, we do have our own rules, you
17 know.

18 Like for instance, one of the rule
19 in our set, if he -- if you do cocaine, you snort
20 cocaine, you got to do them like in the weekend,
21 you know, starting like Friday at 6:00 o'clock, and
22 you can snort your life off for all the way to
23 Sunday at midnight. If you get caught after
24 midnight doing drug, you get discipline.

1 BY MR. BRUEGGEN:

2 Q. And what would discipline entail?

3 A. First you get a warning. And the
4 second maybe you get a fine. And the third rule
5 whatever, you know, maybe clean somebody's car or
6 maybe take somebody wife to do grocery. Something
7 that you won't like, though, to do. I will say
8 that to you.

9 Q. Would it ever lead up to a -- have you
10 heard the term violation?

11 A. Yes.

12 Q. Do you know what a violation is in gang
13 terminology?

14 A. A violation -- should I ...

15 MS. BONJEAN: Yeah, you can answer.

16 THE WITNESS: A violation --

17 BY MR. BRUEGGEN:

18 Q. And, Mr. Maysonet --

19 A. I -- I'm going to be honest, though. I
20 just -- I just -- you know, I just -- you know, you
21 got to understand, though, you know, they -- you
22 got to understand, I don't -- I don't want to say
23 something, though, you know, that -- I don't want
24 to get myself in trouble, not in here, outside,

1 though, you know.

2 MS. BONJEAN: Yeah. And I'm going to object.

3 You have to understand like the -- there are
4 concerns -- you're asking him sensitive questions
5 --

6 THE WITNESS: Yeah.

7 MS. BONJEAN: -- that he's willing to answer,
8 but there are safety issues. It's not like the
9 Latin Kings don't exist anymore. And he's -- he's
10 answering all your questions. I'm advising him,
11 but there's nothing wrong with him, you know,
12 checking in. Because there may be a point at which
13 I would object and -- because of safety issues.
14 And so that's all he's doing. He's just checking
15 in. And he's answer -- I have not instructed him
16 not to answer and he's not refused to answer.

17 BY MR. BRUEGGEN:

18 Q. And, Mr. Maysonet, I understand that
19 some of these are sensitive things, and I'm not
20 going into this just because I'm trying to cause
21 problems. I -- it's stuff that is relevant.

22 So, you know, if you --

23 A. I understand. It's just -- I want for
24 you to understand, though. You know, the -- you

1 know, there are gangs out there that still -- you
2 know, Latin King are still very active gang,
3 though. You know that, though. You're a lawyer,
4 so, you know, you should know, you know. You watch
5 the news everyday, what's going on out there. I
6 don't want to be part of that life no more.

7 Q. Understood. And, again, I'm not trying
8 to create any problems. I'm just asking the
9 questions for the information I need.

10 So going back to the question, can
11 you tell us what a violation is?

12 A. A violation. A violation is when --
13 when you really, really, really do something very
14 dramatic, though, I should say, though, you know,
15 really causing a lot of problem within -- in the
16 gang, though, and then you get violation, though.
17 It all depends if it call for it, though. You got
18 to remember, you treat the people from your set
19 just like brother, you know, and you always going
20 to take their side. You're not going to go against
21 your own brother just because somebody else say
22 something, though. So you always just in line.
23 You always got to, you know, follow, though.

24 Q. So what happens with a violation when

1 someone does something that's really bad or
2 disrespecting their brothers from the set?

3 A. You get beat up. That's what a
4 violation is. Depend what you do, that's how many
5 minute. You know, we don't go hour, you know, just
6 minutes, second, whatever, you know.

7 Q. And that was the way that your set
8 would, if you will, keep the discipline was to, if
9 somebody did something really bad, they could be
10 violated?

11 A. Yeah.

12 Q. And obviously people wouldn't want to
13 be violated because they wouldn't want to get beat
14 up, so they follow the rules?

15 A. So believe it or not, you know, again,
16 you know, going back to what I said earlier, we not
17 perfect, though. So it's always someone we end up
18 doing something bad, though, you know, and you need
19 to discipline him in the way that the other will
20 follow, though, you know, seeing, you know, what
21 you do to so somebody else, though. You know,
22 you're not going to beat somebody up to put them in
23 the hospital in coma, but you're doing -- you know,
24 beating him up enough for him to know that he did,

1 what he did was bad, though, you know, for him not
2 to do it again. Yeah.

3 Q. So you told us about a rule about not
4 to do cocaine during the week when you're working,
5 only on the weekends.

6 Can you tell us some of the other
7 rules from your set specifically?

8 A. Other rule if -- if you were young, you
9 got to stay in school. That's one thing,
10 education.

11 Other thing, you cannot steal in the
12 neighborhood. You know, you can't -- you cannot
13 commit no crime in the neighborhood other than, you
14 know, sell drug, though, you know, or -- you know,
15 there a number of things, you know, that -- that
16 you cannot do, though.

17 But other than that, though, you got
18 to, you know, respect your neighborhood, all the
19 graffiti and stuff, you know, writing in wall and
20 stuff, we really didn't want it. And that's it.
21 You know, I cannot speak about all of somebody else
22 said, though, you know. The majority of us, you
23 know, we were just -- the people we want to, you
24 know, do better, do something, you know, good for

1 our life, though, you know.

2 We knew the gang, it was not going
3 to be for us forever, you know. It was not a war
4 that we were going to have, you know, forever. It
5 was just something -- you know, just kids being
6 kids, you know. It's just I guess a way to survive
7 back in the day making little money here and there,
8 though.

9 Q. So one of the rules was not to commit
10 crimes in the neighborhood and --

11 A. Right.

12 Q. Right?

13 And that would be like don't rob
14 houses in your neighborhood?

15 A. You cannot rob, you cannot steal nobody
16 car or property. If you do sell drugs, you --
17 somebody else got to be approval on that, though.
18 If you're not approval and you get caught, it can
19 be within our own set, you know. If you open
20 another set and you start selling drug in another
21 set that we don't know, you can get yourself in
22 trouble for that. You know, it's number of things
23 that you got to follow, though, you know.

24 Or, for instance, like if you drink

1 and you get drunk, you know how -- you know how
2 some people get, you know, stupid, act stupid? We
3 don't want that. You know, you drink, you act
4 normal. If you can't handle the alcohol, you go
5 home. If you can go home, we going to make sure
6 you go home in one way or the other, though, you
7 know, so you don't get yourself in trouble.

8 We want to -- we want to represent
9 the opposite things that were other -- other sets
10 represent, though. If anybody got problem with
11 anybody in the neighborhood and anybody who come to
12 the right person, we talk about it, and we'll
13 find -- we will investigate, though, you know, like
14 anybody else, though, you know. And if we know
15 that person be right, we talk to our own guy,
16 though, you know, and we let them know, go and talk
17 to that person and apologize, though, you know.

18 So we don't want to look bad,
19 though, you know. People know what we were doing,
20 selling drug, though. So really, you know, we want
21 to keep everybody calm. Yeah, we know what we're
22 doing -- what we doing is wrong, but we not here
23 doing, you know, horrible either, though, you know.
24 We try to do things, you know, the more quiet but

1 different way that we could, you know. Again, that
2 was us. I don't know about nobody else set,
3 though, you know. Trying to keep it organized.

4 Q. And so you wanted to keep a good
5 relationship with all the -- the people that lived,
6 if you will, in your territory area, which would be
7 the -- I think you said about five square blocks
8 around Wabansia and Kimball?

9 A. Correct, yeah.

10 Q. And so if somebody was committing
11 crimes in that area, you'd want to make sure that
12 that stopped because you didn't want the people to
13 have problems?

14 A. Anybody. Yeah.

15 Q. What would happen if another gang, you
16 know, other than a Latin King came into your
17 territory and disrespected you?

18 A. Then they're going to go, you know, in
19 a whole bad way, though. You know, depend. You
20 know, it's -- I tell you a block away there was a
21 rival gang and how often -- you know, being young,
22 strong, how many time we got into fight because
23 somebody else want to come from the other set over
24 here, though, you know, to prove a point, so we end

1 up fighting and stuff, yeah, you know.

2 So it was a lot of violence went on
3 back in the day, but not like it would be for you
4 today, though, you know.

5 Q. And with that type of fighting, if --
6 you know, you said that other gang was up by you
7 guys at Kimball and Wabansia -- if they
8 disrespected you, was it just your set that was
9 fighting or would other Latin King sets join you
10 guys in fighting if necessary?

11 A. It depend who's around. If -- if you
12 happen to be from another set and you talking to
13 me, then something happen, because you being Latin
14 King, though, you know, you -- you got to do
15 something too. You know, you're not going to let
16 me be in there by myself and deal with the problem,
17 though, if I got to get physical with somebody, you
18 there, you got to -- you got to get involved in it
19 too, though. That's how part of the brotherhood
20 is, though, you know.

21 Q. Okay. So you basically had to take
22 your brothers' back; if they were getting in a
23 fight, you had to look out for them and help them
24 out?

1 A. Yeah. We -- we'll help ourself out,
2 though, you know. Not -- not with everybody,
3 though, but, you know, it depend too. You
4 know what I mean? You -- you -- because we Latin
5 King, doesn't mean that, you know, you like the
6 other Latin King from the other side, though, you
7 know. I mean, there was a competition. You got to
8 remember, it's a big competition with money.

9 And being young back then, though,
10 whoever had the better car, whoever had better
11 girl, though, you know, however you dress, though,
12 you know, is how you get treated, though. You
13 know, if -- if they see you doing bad, though, they
14 don't -- they don't treat you bad either, though,
15 you know, but if they see you doing drug that
16 you're not supposed to do and acting like a young
17 kid, stuff like that, they will discard you, you
18 know. They don't want you around. You know, you
19 don't -- you don't belong around, you know.

20 Q. So back in the late 1980s, were -- was
21 the Latin Kings, was that a violent gang?

22 MS. BONJEAN: Objection to the -- objection
23 to the form and foundation of that question.

24 You can answer.

1 THE WITNESS: What kind of violent, though?

2 BY MR. BRUEGGEN:

3 Q. So they were a violent gang?

4 MS. BONJEAN: Objection to the form and
5 foundation of that question.

6 You can answer if you understand
7 what he's saying.

8 THE WITNESS: I guess everybody was violent.
9 I mean, what gang not violent?

10 BY MR. BRUEGGEN:

11 Q. So back in the late 1980s, all the
12 gangs, and we're talking about general Humboldt
13 Park neighborhood area that you would have
14 information or knowledge about because you lived
15 there, were violent?

16 A. Everybody. Oh, yeah.

17 I mean, if -- I'm the type -- I'm
18 just a social person. I like to get to know
19 everybody. I don't care what gang you are. We are
20 human, you know. But that's my mentality, you
21 know. If I get along with a opp- -- somebody the
22 opposite side, you know, cool, whatever business we
23 do, gang sometime, it be put to the side. Anything
24 after that, you know, hands off, you know. You go

1 back to what you are. Yeah. I'm Latin King. You
2 what you are. You stay in your corner; I stay in
3 my corner, though, you know.

4 It happen that I go by and one of
5 his homie see me and they know me, might start
6 shooting on actually know me. That's how -- you
7 know, that's how gang they are. And if you cool
8 with everybody, you know, you might not have that
9 problem. I never had that problem, though.

10 Q. So as long as other gangs stayed in
11 their territory and didn't come in your territory,
12 there wouldn't be any problem, right?

13 MS. BONJEAN: Objection to the form of the
14 question in mischaracterizing his testimony.

15 THE WITNESS: Business always come first.

16 BY MR. BRUEGGEN:

17 Q. And so, again, if I'm misunderstanding
18 you, let me know. It just -- it sounded like that
19 you said that you could be friends with people from
20 other gangs and that as long as they stayed, you
21 know, where they were supposed to be and you were
22 where you were supposed to be, there wouldn't be
23 any issues.

24 MS. BONJEAN: I'm going to object to the

1 form. He -- he was talking about -- are you
2 talking about the gang, as -- as you people tend to
3 talk about these things, or are you talking about
4 him specifically? Because --

5 MR. BRUEGGEN: I'm talking about him
6 specifically, because that's what he was talking
7 about, interacting --

8 MS. BONJEAN: Yeah. He's talking --

9 MR. BRUEGGEN: -- with someone from another
10 gang.

11 MS. BONJEAN: He was talking about his
12 experience and who he was. And, you know, you --
13 you people talk about the gang as if there's some
14 like, you know, one person that's defined by the
15 gang. So I'm ask -- I guess that's a form and
16 foundation objection.

17 BY MR. BRUEGGEN:

18 Q. Mr. Maysonet, did you understand what I
19 was asking?

20 A. Kind of.

21 Q. And so I'm asking about -- about, you
22 know, you as a person, you know.

23 If you stayed in your territory and
24 you know, other rival gangs stayed in their

1 territories, there wouldn't be a problem, right?

2 A. Well, how can I say it? Back in the
3 day, if -- if you out walking somebody else
4 neighborhood and I happen to have a sweater with a
5 Latin King and my emblems and stuff, though, you
6 know, I got to take my sweater off and put it in my
7 arm as a tone of respect, and just walk through
8 that neighborhood, you know, it would not worry
9 about being violent and stuff. Now, if I want to
10 walk around there representing who I am, but, you
11 know -- I mean, I don't think nobody would allow
12 that, you know, even if you go somebody house, you
13 know, nobody would allow that, though, you know.

14 But other than that, you know me, I
15 didn't have no problem with nobody, though,
16 basically. I was just -- I was just a friendly
17 person, social person. I get along with everybody.
18 If you happen to don't like me, too bad. You the
19 one miss out, not me.

20 Q. In your set, was there any significance
21 when a Latin King would wear a dark-colored hoodie
22 sweatshirt?

23 A. Everybody dressed dark. I mean, I'm
24 not afraid of colors.

1 Q. So wearing a dark-colored hoodie didn't
2 necessarily mean anything in your set?

3 A. Not really.

4 Q. Did you know guys in other sets of
5 Latin Kings?

6 A. If I knew people?

7 Q. Yes. Other -- other Latin Kings in
8 different sets than yours at Wabansia and Kimball.

9 A. Again, I talk to everybody, you know.
10 I don't know no nobody by name. I prefer -- I
11 prefer it like that, though. You know, if I know
12 you, we might engage in a conversation, doesn't
13 mean, you know, that I want to know your name, you
14 going to know my name, you know. If it's something
15 about business or something, you know, we make
16 whatever business and good-bye, you know, no hard
17 feelings.

18 Q. Did you have any friends who were Latin
19 Kings in other sets?

20 A. I knew people. I wouldn't say friend
21 though, you know. I knew people, but not -- again,
22 you know, nothing for me to be, you know, very
23 close to them.

24 Q. And earlier you were -- you were

1 talking about, you know, the respect you guys have
2 kind of with the neighbors in your territory.

3 And so your set at Wabansia and
4 Kimball, would you guys try to keep your fingers on
5 the pules of what was going on in your territory?

6 MS. BONJEAN: Objection to the form.

7 You can answer.

8 THE WITNESS: Everybody -- everybody -- we
9 all knew what going on in the neighborhood, though.
10 We had eyes everywhere.

11 BY MR. BRUEGGEN:

12 Q. Did you know somebody by the name of
13 Alfredo Gonzalez?

14 A. Yes, I do.

15 Q. Was -- Mr. Gonzalez, do you know what
16 his street name was?

17 A. Lluvia.

18 Q. Was he in your set at Wabansia and
19 Kimball?

20 A. Yes.

21 Q. When did you meet Lluvia?

22 A. Basically, I knew Lluvia from since we
23 were -- we were kids, yeah. We grew up in the same
24 block.

1 Q. Did Mr. Gonzalez have a car?

2 A. No. I don't think he knew how to
3 drive.

4 Q. So was Mr. Gonzalez one of those
5 original, I think you said 12, founding members of
6 the set of Wabansia and Kimball?

7 A. Yes. Yeah, he was. Yeah.

8 Q. What about Justino Cruz?

9 A. Justino Cruz, we wasn't nobody, though,
10 you know. He -- he came in one point to join and
11 then, you know, we kick him out, you know. Too
12 weak.

13 Q. You kicked him out, did you say because
14 he was too weak?

15 A. Too weak, yeah.

16 Q. But Justino Cruz joined your set at
17 Wabansia and Kimball?

18 A. At one point, yeah.

19 Q. Do you know what Justino Cruz's street
20 name was?

21 A. They used to call him Tino.

22 Q. And earlier when I asked about the
23 people who kind of founded your set over there at
24 Wabansia and Kimball, you said the name Tino.

1 A. Tino.

2 Q. Were you referring to Justino Cruz?

3 A. Yes.

4 Q. How did you know Justino Cruz?

5 A. Again, we all grew up in the same
6 block, though, you know, literally in the same
7 block. We probably went to school together at the
8 same time too.

9 Q. Did you ever hang out socially with
10 Mr. Gonzalez?

11 MS. BONJEAN: Objection to the form of the
12 question.

13 Go ahead.

14 THE WITNESS: Well, I don't know, but I'm
15 going to explain to you to be more specific answer
16 to you, though, you know. You seem to be a good
17 guy anyway.

18 Justino Cruz and Alfredo Cruz,
19 they -- they related to my brother's wife. You
20 know, we like their family. So yeah. You know,
21 I said we grew up in the same -- in the same
22 neighborhood, literally, in the same building, we
23 might say.

1 BY MR. BRUEGGEN:

2 Q. So how long was Justino Cruz affiliated
3 with your set?

4 A. I can't remember, be such a long time,
5 though, but it was not for -- for long, though. I
6 think one point he left to college, though.

7 Q. Justino Cruz left to go to college?

8 A. I think so, yeah.

9 Q. Did Justino have a car?

10 A. Justino Cruz had a car.

11 Q. What kind of car did Justino have?

12 A. I think it was a GM. I don't know what
13 kind of brand, but I think it was GM.

14 Q. Was it anything flashy or just a basic
15 GM?

16 A. Just a regular car.

17 Q. Do you know what -- do you know where
18 he got the money to buy that car?

19 A. I believe he just -- he was working,
20 though. I believe he had a job, though. Like I
21 said, you know, most of all we had good -- you
22 know, we had real jobs, though.

23 Q. What about somebody by the name of
24 Chris Gossens -- or Goosens?

1 A. Christopher Goosens. You mean Fro?

2 Q. Yeah, Fro.

3 A. I --

4 Q. Did you --

5 A. Yeah, I know Fro.

6 Q. Back in the 1980s?

7 A. Yeah. We -- again, you know, that's
8 another guy that we -- we grow up together, though,
9 even though that he -- he not from the same set
10 that I'm from, but we went to school together,
11 though. We -- we really went to school together.
12 We grew up in the same neighborhood.

13 Q. And it sounds like a lot of the -- the
14 guys grew up in the same neighborhoods, but then
15 would join different sets.

16 A. Yes.

17 Q. That kind of how it worked?

18 And what set was Fro a member of?

19 THE WITNESS: Should I answer that question?

20 MS. BONJEAN: If you know.

21 MR. BRUEGGEN: Yeah.

22 MS. BONJEAN: If you don't know --

23 BY MR. BRUEGGEN:

24 Q. And, again, Mr. Maysonet, just to

1 remind you, I'm just asking what you know. If you
2 don't know, you can tell me, I -- I don't know
3 or -- that's fine. So I'm just asking what you
4 know.

5 A. Yeah. I'm going to say I don't know,
6 though.

7 Q. Okay. Was he from a set around by your
8 set or was he, you know, other side of Chicago?

9 A. Same neighborhood, same neighborhood.

10 Q. Do you know did Mr. Goosens, Fro, live
11 in the neighborhood that you lived in generally?

12 A. He was living, yeah, kind of -- I don't
13 know the street name because been a long time,
14 haven't been around there, you know, almost 30
15 years. But yeah, he was living in the Humboldt
16 Park area.

17 Q. Did Fro have a car?

18 A. Yes. Fro had a car, yeah.

19 Q. What kind of car did Fro have?

20 A. I believe he had a number of car, you
21 know. He -- I think he had a number of car.

22 Q. Do you remember any?

23 A. I would wire it for him too.

24 Q. I'm sorry. What did you say?

1 A. He had a nice car back then, though.

2 He had a -- I think it was '69 convertible Buick
3 Electra.

4 Q. So a flashy car?

5 A. It was not -- it was just regular,
6 basic car, though, but, you know, I'm pretty sure
7 say if he -- you have money back then, you can hook
8 that car up. Man, that car would have looked so
9 nice.

10 Q. Did you know whether Fro was selling
11 drugs back in the 1980s?

12 A. I don't -- I don't remember that,
13 though.

14 Q. Did you know a person by the name of
15 Efrain Cruz?

16 A. Efrain Cruz, yes.

17 Q. Do you know what his street name was?

18 A. King.

19 Q. Was Efrain Cruz a member of the Latin
20 Kings?

21 A. Yes.

22 Q. Was he in your set?

23 A. Yes. He was in set too.

24 Q. And you grew up with Efrain Cruz?

1 A. Yes. I said, we all grew up in the
2 same -- in the same block, though, in the same
3 neighborhood.

4 Q. Did Efrain Cruz have a car?

5 A. No. He -- I don't -- he don't know how
6 to drive. He blind.

7 Q. Did you say he's blind?

8 A. Yeah. He -- I think he blind from one
9 eye, yeah. He can see.

10 Q. And was that back in 1980 he was blind
11 in one eye?

12 A. Yeah, yeah. He -- something happened.
13 I think he -- he hit -- he hit hisself with a pole.
14 Something with the eye, though, he -- something
15 went inside his eye, though, you know, and mess up
16 his eyesight, though, you know. But it was one
17 eye, though, you know. I should say both eyes
18 because every time he look, he's like, you know,
19 looking weird.

20 Q. What about somebody by the name of
21 Francisco Veras, do you know --

22 A. I know Francisco Veras, yes.

23 Q. Is it the same thing? Did he grow up
24 in the neighborhood with you guys?

1 A. Yes. In the same block, but he not
2 from the same -- he not from the same set that I'm
3 from. He's from another set.

4 Q. And it was another set of Latin Kings?

5 A. In Humboldt Park there's number of set,
6 though, yeah.

7 Q. Yeah. And you're saying Mr. Veras was
8 a Latin King, but he hung out in a different set
9 than you, right?

10 A. Well, I -- how can I say this? We had
11 cliques. You know what cliques is, though? You
12 know, like -- say like if you from another set and
13 let's say Jennifer, she's from another set and --
14 and whatever, though, you know, this girl from
15 another set, though, you know, and we happen to --
16 to be cool with them, you know, you can hang with
17 them. They can come to my set. I can go to their
18 set, though. It doesn't mean I'm going to talk to
19 everybody. I might talk to him, though, you know.

20 You know, again, though, you know, I
21 didn't have too many friends like that, though, you
22 know, just people who really want to do business
23 with us, though, you know.

24 Q. So am I understanding you correctly

1 that Francisco Veras was from a different set --

2 A. Yeah.

3 Q. -- but he hung out in your clique?

4 A. Yeah. We -- we hang out sometime,
5 yeah.

6 Q. And who else was in that clique with
7 you?

8 THE WITNESS: Can I answer that?

9 MS. BONJEAN: Yeah.

10 THE WITNESS: We had Jeffrey. Jeffrey was
11 from my set too. It was number of guys, though,
12 you know. I don't remember quite they name,
13 though, but -- Jeffrey was from another set, you
14 know, and we used to hang too. We grew up in the
15 same block, like I said, though, you know.

16 It just that most -- most of the guy
17 from Kimball and Wabansia, how can I say it, we
18 were living basically in the same -- almost in the
19 same area, same building. And it happened that one
20 day we just came up with an idea, say, how come we
21 don't -- we don't take over one of these -- this
22 corner, though, you know, like everybody else do,
23 though, and do money and do better than everybody
24 else do?

1 And that's how we became to do
2 things, though, you know, very organized, clean,
3 though, you know, without getting ourself in
4 trouble. But, you know, when you got a number of
5 guys, you always trouble gonna be, right in the
6 corner. So ...

7 BY MR. BRUEGGEN:

8 Q. So when you guys decided to do that,
9 you would have gotten permission from, you know,
10 the powers that be in the Latin Kings to open up
11 your own set on Wabansia and Kimball?

12 A. To -- to do that, we have to -- we have
13 to get approved for the whole -- all the other set,
14 you know. So every -- whoever in charge every set,
15 you know, they all get together, and if he -- they
16 say okay to do it, we'll do it. If not, we don't
17 got no choice, though, you know. We're going to
18 have to join somebody else set, though. You know,
19 it happened, you know. Again, you know, I'm a very
20 social person and people happen to get along with
21 me real good. And they give us -- they give
22 everybody the approval, though, you know, so that's
23 how we became to be Wabansia and Kimball, or KW.

24 Q. So the -- the Jeffrey you just told us

1 about who was from another set who hung out in your
2 clique --

3 A. Yeah.

4 Q. -- did he have a -- did you know his
5 name?

6 A. No, I don't know his name. I just know
7 him by -- by street name, Jeffrey. They used to
8 call him Jeff. A Black guy, by the way. He joined
9 the Latin King, Latin -- you know, Latin gang.

10 Q. Did Jeffrey grow up with you in the
11 neighborhood?

12 A. Yeah, he did. He -- he lived in the
13 same -- in the same area too.

14 Q. And he was from a different set than
15 Kimball and Wabansia?

16 A. Yes, yeah.

17 Q. Did Jeffrey have a car?

18 A. Jeffrey had a car, yeah.

19 Q. What kind of car did Jeffrey have?

20 A. I believe he had a -- I believe he had
21 a GM too. I don't know if it was a Pontiac or a --
22 or a Chevy Monte Carlo, but I know it was -- it was
23 just a mid-size car, yeah.

24 Q. Do you remember what color it was?

1 A. Oh, color I believe was blue.

2 Q. Was it a flashy car or --

3 A. Oh, yeah. It was flashy car. Yeah,
4 yeah. He had a nice sound too.

5 Q. Nice sound system?

6 A. Wow, hell of a sound system, though.

7 Q. And you told us that Santiago Sanchez
8 was -- he was the leader of your set at Wabansia
9 and Kimball, right?

10 A. Yes.

11 Q. Had Santiago grown up with you --

12 A. Yes.

13 Q. -- in the neighborhood?

14 A. Yeah. We grew up together too.

15 Q. Did Santiago have a car?

16 A. Santiago had a car, yeah.

17 Q. What kind of car did he have?

18 A. Well, Santiago had a number of car, you
19 know. I mean, the last -- I can just tell you the
20 last one that he had. It was a Chevy Impala. It
21 was -- I believe it was a '78 four-door Chevy
22 Impala, though.

23 Q. What about did you know someone by the
24 name of a Yanerez (phonetic) Maldonado?

1 A. Jimenez Maldonado, no, I really don't.

2 Q. Was a gentleman who --

3 A. Any nickname -- does he got any
4 nickname?

5 Q. I do not. It was a gentleman who
6 visited you while you were incarcerated.

7 A. Jimenez?

8 MS. BONJEAN: If you don't -- if you --

9 THE WITNESS: No. I don't -- I really don't.
10 I really don't. I tried to put a picture of that
11 name, but I really don't ...

12 BY MR. BRUEGGEN:

13 Q. And so back in the 1980s, did you
14 pretty much know people by their street names or
15 their nicknames?

16 A. Just by street name.

17 Q. And the people who you knew their real
18 names, were those the people you'd grown up with?

19 A. Some of them I did; some of them I
20 don't, you know.

21 Q. Mr. Maysonet, why did you join the
22 Latin Kings?

23 A. Why join the Latin Kings? Money. You
24 know, you -- you got to belong to a gang just in

1 order to make money from the street.

2 Q. Was your brother, Jose Antonio, was he
3 a member of the Latin Kings?

4 A. No.

5 Q. Was he affiliated with the Latin Kings?

6 A. No.

7 Q. I'm sorry. Go ahead.

8 A. Like I said, I'm just the black sheep
9 in the house, though.

10 Q. What about your -- your sister, was --
11 and I got to ask the whole question just to make
12 sure it's clear on the record.

13 Was your sister a member of the
14 Latin Kings, or Latin Queens?

15 A. Latin Queens, yeah.

16 MS. BONJEAN: No.

17 THE WITNESS: Oh, no.

18 BY MR. BRUEGGEN:

19 Q. Was your sister a member?

20 A. No, no, no.

21 MS. BONJEAN: He's just correcting you that
22 if she was, it would be a Latin Queen, not a Latin
23 King.

24 MR. BRUEGGEN: Yes, yes. And I think he told

1 us that she was neither a Latin King or a Queen,
2 regardless of how she's characterized, right?

3 MS. BONJEAN: Exactly.

4 THE WITNESS: Latin Queen, Latin Queen, Latin
5 King, Latin King. Two different world.

6 MS. BONJEAN: Although, Ashley may be a Latin
7 Queen.

8 THE WITNESS: Yeah. I'm probably Latin Queen
9 too. If I just wear long blonde hair -- no, no.
10 Just kidding.

11 BY MR. BRUEGGEN:

12 Q. So now -- and I wanted to ask you about
13 the Latin Queens, were they affiliated with the
14 Latin Kings?

15 A. Yeah, they are. It's another branch of
16 the Latin Kings, yeah.

17 Q. Were the Latin Queens, would they be
18 tied to a set of Latin Kings, or did they have
19 their own territory?

20 A. Actually, Queens, they can be anywhere,
21 you know, as long as they, you know -- how can I
22 say? In order for you to have a set, again, you
23 got to be approval. You have to have a number of
24 people in order for be, you know, a set, though,

1 you know. You cannot -- you're not going to hang
2 out with two or three people in there. You got to
3 have at least a number of people, you know, that
4 they can, you know, back off the corner that you --
5 that you have, though, you know, claim in, you
6 know.

7 But female, that was different,
8 though, you know, basically, though, you know.
9 Don't get me wrong, you know, they -- they fight
10 like men too, so -- they're very rough gals,
11 though, you know.

12 Q. So were there any Latin Queens that
13 hung out with your set?

14 A. There were quite a few females, yeah,
15 quite a few. I mean --

16 Q. Do you remember any of their names?

17 A. Well, I had a girlfriend by the name
18 Olga Quinones, otherwise known by Crazy. She did
19 time in jail and everything.

20 Q. Was she a Latin Queen?

21 A. She was.

22 Q. And did she hang out in your set
23 because you guys were dating?

24 A. She hang out in the set because me.

1 She was my girlfriend back then. She was --

2 Q. Do you remember -- sorry. Go ahead,
3 sir.

4 A. No. I said she was a good girl too.

5 Q. Do you remember when she was your
6 girlfriend, either time or an age?

7 A. We were young. You know, it was just
8 long time ago, you know. We were, you know,
9 teenagers, again. I mean ...

10 Q. As a Latin King at the Wabansia and
11 Kimball set, were you involved in any gang fights?

12 A. I got involved to fights, you know.
13 I'm going to sit in here and lie to you. Any -- I
14 don't think -- I don't think anybody in the gang --
15 you know, you had to have some kind of
16 confrontation one point or the another, no?
17 Whether you maybe messing around with somebody's
18 woman, you don't know, though, you know, maybe you
19 doing something you're not supposed to do, though,
20 you know, and somebody got offend. You know, you
21 always going to get a confrontation, not all the
22 time for it, sometimes you do.

23 Q. Did you ever cause a gang fight by
24 something that you did that either disrespected

1 another gang or selling drugs in another gang's
2 territory?

3 A. No, no.

4 Q. When you were a Latin King, were you
5 ever shot at by rival gang members?

6 A. If I ever got shot?

7 Q. Shot at. Not necessarily shot, but
8 shot at.

9 A. Yeah. I been -- I been shot in my car,
10 yeah, once before, though, but they never cause me
11 no -- no harm to me, though, you know, just the
12 car, yeah.

13 Q. And can you tell --

14 A. Come up to me and put a gun in my face
15 and I was sitting in the car. I was rolling a
16 joint. And when I start -- when I was finish
17 rolling the joint, I saw this guy come, he was
18 coming towards me. It was -- it was dark. It was
19 probably like around probably 9:00 o'clock at
20 night.

21 And I remember when this guy came,
22 you know, I just finish rolling the joint. I'm
23 thinking that, Oh, can I smoke some of that -- some
24 of that weed with you? And soon as I put the joint

1 in my mouth and lit it, this guy pull out the gun,
2 the joint fall off of my mouth. But the window, it
3 was closed. And when he shot the gun, he hit the
4 window and the bullet just went basically through
5 my ear. And then when he kept shooting, the gun
6 jammed.

7 And only thing he did, turn around,
8 he start running, so we went after him. I know I
9 was so nervous that I couldn't run so fast, though.
10 Only thing I was thinking then when I got shot,
11 though, I was just -- because that thing, it happen
12 so close to me, though, you know, everybody thought
13 that I had -- that I got shot, though, you know,
14 that -- that night, though. So yeah, you know, I
15 did got shot before, yeah.

16 Q. Where were you parked when that
17 happened?

18 A. I probably park in another set. I was
19 park on Wabansia and Whipple. That's another Latin
20 King set.

21 Q. And did you know the person that shot
22 at you, whether he was affiliated with a different
23 gang?

24 A. Yeah. He was affiliated with another

1 gang. I didn't know him. I really didn't know
2 him. They know my car; they didn't know me.

3 Q. Did you know what gang he was
4 affiliated with?

5 A. I believe it was Spanish Cobra.

6 Q. And do you have any idea why he shot at
7 you, whether you had done something or --

8 A. No. Just part of the gang, you know.
9 Just they -- they know who probably you -- who you
10 are, though, you know, so they got to get -- they
11 want to make their name for themselves. They want
12 to go and shot somebody they know, everybody knows.
13 So, you know, yeah, that's how you get -- you be
14 famous around.

15 Q. And you just mentioned that the other
16 gangs knew your car?

17 A. Yeah.

18 Q. Right?

19 A. Oh, yeah.

20 Q. And they knew your name?

21 A. They know my street name.

22 Q. Yeah. That's what I mean.

23 They -- they knew your street name
24 and associated with the car?

1 A. Yeah. Oh, here, goes Double J. You
2 know, when they see you, you know, they see I'm
3 like boom, boom, the sound. Basically the sound.
4 That's what attract the other people, though, you
5 know. They see -- they'll hear the sounds from the
6 car. They want to know who they are and if they
7 know who car it is, it be like, Oh, that's
8 Double J, Double J. So if he -- some of those
9 guys, you know, happen not to like you, things
10 going to go bad. But some of them, if that happen,
11 you know, they okay. Even though they know that
12 you a Latin King, they might give you a pass,
13 though, you know, like, We not going to mess with
14 his car, though, you know, but they -- they'll give
15 you a warning, like, yeah, you know, maybe next
16 time, you know, we might get you, though, you know.
17 Yeah.

18 Q. And did you have your -- your
19 carburetor wide open on your car to make it nice
20 and loud?

21 A. I had like a \$10,000 sound back then.

22 Q. Oh, so it was -- it was music.

23 A. You can put a six-pack in top of the
24 woofer and you will keep it up. That's how loud it

1 sound.

2 Q. I gotcha.

3 So it wasn't your car was loud, like
4 strong. It was you had a sound system in there
5 that was very loud?

6 A. Man, that sound, you can feel the base
7 in the ground when you standing next to it, though.
8 It was -- I mean, you know, being young, though,
9 you know, and being young and naive. You know what
10 I mean?

11 Maybe now people, see you now with a
12 better car like that, they might think different.
13 Back then, people say used to say, Oh, yeah, he
14 must be a drug dealer, he must be a gang, though.
15 You know, people just judge -- judge you, though.
16 You know how you have to basically -- we were not
17 like that, though, you know.

18 Q. At the time, I -- I think you kind of
19 touched upon it, your priorities were a little
20 different, as having a really cool car was a good
21 thing at that time?

22 A. I'm not going to say good thing,
23 though, because you attract too much attention,
24 especially the police, though.

1 Q. Gotcha.

2 So ...

3 A. The police the one who always keep the
4 eye on you. They'll see your car, always want to
5 stop you. They what to know what your wheres
6 about. I guess you -- you know, you met a good cop
7 or something, someone that he can, you know, have a
8 nice conversation with you and do good things
9 maybe.

10 Q. In your set, did you ever achieve any
11 type of a leadership role?

12 A. No. Sorry. No.

13 Q. So you were basically just a member,
14 the same as the other 11 guys?

15 A. You need to -- you don't need to join
16 no rank, though, you know, especially when you
17 making money. You just looking for a piece of
18 action. You're not looking to, you know, spend
19 your whole life doing something that, you know, is
20 not going to take you nowhere anyway.

21 Q. So in your set, when you guys were
22 selling drugs, would you have to give some of the
23 money to Santiago since he was the head of your
24 set?

1 A. Basically, it's not -- it's not the way
2 it is, though, you know. It just we had a group of
3 people, and if the money basically -- I'm going
4 to -- I'm going to say this, without offending
5 nobody, though, you know, but some of the money, it
6 go to lawyers, you know. Some of the money goes to
7 other people that, you know, that may make business
8 with you, though, you know. Maybe give you some
9 kind of protection or maybe keep an eye on thing,
10 you know, that you really want to, you know, pay
11 attention to.

12 But the money go to a bank, you
13 know, what we call -- you know, it's just like a
14 bank, like an account basically, you know. And
15 whatever we need, we get. You know, you have your
16 own money. You making your own money, though. You
17 know, just like a -- you know, basically like a big
18 credit card thing, though, you know, what we call
19 now, though.

20 But if we needed money to bond
21 somebody out from jail, we don't need to go and
22 borrow money from nobody. We got the money right
23 there, though, so why not? Go and take it out, use
24 it, and we sell drugs, we put it back together

1 again, you know. Just that simple.

2 Q. So would it be that you'd sell drugs,
3 you'd take a cut of your sales, and the rest would
4 go into this kind of community fund for everybody
5 else?

6 MS. BONJEAN: Objection, mischaracterizes his
7 testimony.

8 Go ahead, if he got it right.

9 THE WITNESS: You want me to answer that?

10 MS. BONJEAN: Yeah, go ahead.

11 BY MR. BRUEGGEN:

12 Q. Yeah. If you can, sir?

13 A. We -- we -- you know, out of every --
14 probably say out of every \$100, you probably give
15 five percent, you know, not much. If you're not in
16 the gang and you selling drugs for us, maybe the
17 percentage probably be a little bit higher, though,
18 because you're not part of us, but we using you to
19 sell the drugs. It doesn't mean that, you know,
20 we're going to treat you bad though, no.

21 Some people might -- they might use
22 it for the wrong reason, though, you know. Not us.
23 If we know you in need for money, you know, we help
24 you, though. And if you want to cut out later,

1 then, you know, we violating you, even though if
2 you're not a gang -- a part of the gang or not, you
3 know.

4 Q. Okay. I got it.

5 So you -- you kept what you sold,
6 but then you had to kickback a certain percent or a
7 certain amount?

8 A. Yes.

9 Q. Is that -- okay.

10 A. Yeah.

11 Q. And so the more you sold as a person,
12 the more money you'd make?

13 A. But if you sell it by yourself, yeah,
14 of course you're going to make money, yeah.

15 Q. And what I'm trying to do is versus,
16 you know, different gang members. If you're out
17 there selling all the time, you're selling a ton,
18 you're going to make more money than somebody who's
19 only out there maybe selling one or two days?

20 A. Well, that's if you want to go around
21 there and be drag about it, though, you know. But
22 you don't want to do that, though, you know,
23 because that's how problems start. And basically,
24 you know, that's where most of the gang start from

1 the -- within the gang: Money, money power, you
2 know. Nobody want to make no more money than what
3 the gang made. Remember that, so ...

4 If you do make more money than the
5 gang, you going to be in trouble. They're going to
6 be -- try to steal you. Maybe they going to wait
7 for you to run the wrong things so they can use
8 that excuse so you can be cursed out, though, you
9 know, or violated so they can get the money. Okay,
10 I give you money so you don't beat me up, though,
11 you know. Not on me. Beat me up, I ain't did
12 nothing wrong.

13 Q. And so the money that came into the
14 set, did that stay in the set or did that go to a
15 larger pool with other Latin Kings sets?

16 A. No. That stay in that set.

17 As a matter of fact, if other set,
18 they get financially in trouble, you know, that's
19 how we making good business with other set in our
20 gang, you know. Because once you borrow money to
21 another gang, then you can ask for a higher
22 percentage back. Basically, it's taxes, though,
23 what they're paying back, though, you know. And
24 you make a little more money, or the set made a

1 little bit more money from the other -- from the
2 other set, though, you know.

3 And they can never be accused of
4 say, Oh, no, we don't got the money to pay you.
5 They always going to pay, you know, because that's
6 the help they going to get. If they happen to mess
7 up that, you know, they ain't going to have nobody
8 to help them.

9 But you got to remember this, that's
10 how set become to be famous in that -- in the
11 neighborhood too. Because if you borrow or you
12 lend somebody, say, a big amount of money to
13 another set, though, you know, and they got to pay
14 you back maybe double that, they going to know, Oh,
15 yeah, those guy over there, they making good money,
16 they -- you know, and you don't have to show off.
17 They will know for any -- any type of reason, you
18 know, that you making money over there, though.

19 Q. Sir, now your complaint, you've seen
20 your complaint in this case, right?

21 A. Yes, I did.

22 Q. And your complaint alleges that you ran
23 a small crew of people that sold drugs?

24 MS. BONJEAN: Objection, mis --

1 mischaracterizes the complaint.

2 I need the complaint.

3 BY MR. BRUEGGEN:

4 Q. Mr. Maysonet, your complaint says that
5 you worked with a small crew who sold drugs?

6 A. We -- we always be in group, though.
7 When we sell drugs, though, you know, we always
8 watch ourselves back, though, you know. So yeah,
9 you know. If we in the corner and, you know,
10 happen to be 12 guys in there, though, you know,
11 and most of them, they're not doing nothing, just
12 kicking back and smoking weed, though, you know,
13 why not -- why not go in that corner over there and
14 watch our back, you know. We -- we selling drugs
15 and basically -- basically we making money for my
16 own set, whether you selling it or not, you know.
17 Yeah. We got to watch our back. We got to be
18 together, put it to you like that, though, you
19 know.

20 Q. So I -- and my question is, you know,
21 when you reference this crew in your complaint, is
22 that your whole set was the small crew that you're
23 referencing in your complaint or was it a smaller
24 set of your --

1 A. No, no, no. That's -- that's Kimball
2 and Wabansia. Again, you cannot -- you can't
3 belong to two sets, though, you know. You're
4 always going to make someone happy, someone going
5 to get mad.

6 Q. I think earlier you said that you sold
7 marijuana and also cocaine was sold.

8 And were they both sold on that
9 corner of Wabansia and Kimball?

10 A. Pretty much, yeah.

11 Q. Did you sell both marijuana and
12 cocaine?

13 A. I'll say I did sell more coke than
14 marijuana, though. I love smoking weed, though,
15 you know, so ...

16 Q. Did you say you sold more cocaine than
17 marijuana?

18 A. Yes. I don't do coke. I mean, I did
19 it once. I didn't like it, though, you know. I
20 rather do marijuana, be happy.

21 Q. And did all the guys sell either
22 marijuana or cocaine or was there certain guys
23 could only sell cocaine and certain guys could only
24 sell marijuana?

1 A. Yeah. Some of those guys just sell
2 marijuana, some of them, you know, they sold the
3 coke, though. Yeah, yeah. More dangerous to sell
4 coke then than marijuana anyway.

5 Q. Was selling one more profitable or did
6 you make more money selling marijuana or cocaine?

7 A. Cocaine was more profitable, yes. Yes.
8 That's -- that's life, though, you know.

9 Q. You talked about other members of your
10 set would be out there when selling, kind of
11 keeping eyes out?

12 A. Yeah. Hanging out, yeah, keeping an
13 eye, you know, on what going on. Basically
14 watching the back.

15 Q. And when you say "watching the back,"
16 what are they watching your back for?

17 A. Anybody can sneak on you and try to,
18 you know, rob you, you know. Somebody can come
19 from somewhere, you know, maybe another gang can
20 come with a gang and try to shoot you from behind.
21 And you got to keep an eye on what's going on,
22 especially when you -- especially when you belong
23 in the corner, you know, that everybody knows,
24 though. Kimball and Wabansia, everybody know about

1 us making the money.

2 Q. And at that time, selling drugs was, to
3 some extent, completely cash business?

4 A. Cash business.

5 Q. So that would be a lot of -- go ahead,
6 sir.

7 A. I never heard nobody come and buy drug
8 with a check or with food stamp.

9 Q. And, again, it's -- you know, I'm sure
10 times things were traded. Somebody might give you
11 something of value, whether it be CDs or equipment
12 or something like that, but predominantly cash,
13 right?

14 A. Well, again, you know, that stealing
15 stuff is no good for business, though, you know.
16 You really don't want to get caught up in something
17 that -- you know, that is not worthwhile, you know.
18 You -- you rather buy stuff. But, yeah, I did saw
19 a lot of people coming around with stuff, try to --
20 to trade for drugs or -- yeah. I did saw that, but
21 I never -- I never -- I never did trade like that,
22 though, you know. I rather have the money. Money
23 better.

24 Q. So when you would be on the corner

1 selling drugs and other people would be looking out
2 for you, did anybody in your set have a gun?

3 A. There's guns everywhere. Why not?

4 Q. So if somebody -- did you ever have a
5 gun when you were hanging on the corner of Wabansia
6 and Kimball?

7 MS. BONJEAN: Objection to the form of that
8 question.

9 Go ahead.

10 THE WITNESS: If I ever had a gun?

11 BY MR. BRUEGGEN:

12 Q. And let me clarify the question, sir.

13 Did you ever have a gun on your
14 person when you were on the corner of Wabansia and
15 Kimball?

16 A. I always have my personal gun.

17 Q. And what would -- what caliber was your
18 personal gun?

19 A. .45, 1911.

20 Q. Did other guys in the set also carry
21 their personal guns on them?

22 A. Not -- not everybody, though.

23 Q. Why did you always have your personal
24 gun on you?

1 A. Well, you know, I always carry enough,
2 you know, money on me, so you have to have a little
3 protection, though. Doesn't mean that make you a
4 bad person, right? You know, I never -- I never --
5 I never had that type of confrontation with nobody,
6 thank God, though. But yeah, I did have my gun for
7 protection, though.

8 MR. BRUEGGEN: Mr. Maysonet, I'm about to go
9 into another area of questioning. I just wanted to
10 see if you wanted to take a break now or if you
11 want to stop for lunch. And you can ask Jennifer.

12 Jennifer, I'm open to whatever you
13 guys want to do. If you want to do a lunch break
14 now. I'm just switching topics, so it's a good
15 time for a break, whether five minutes or if you
16 want to do something longer.

17 MS. BONJEAN: I don't -- you don't -- do you
18 want food?

19 THE WITNESS: I'm not hungry, though.

20 MS. BONJEAN: Okay.

21 THE WITNESS: I just want to smoke.

22 MS. BONJEAN: Yeah, okay.

23 So, you know what, he needs to go
24 out and have a smoke break.

MR. BRUEGGEN: Sure.

2 MS. BONJEAN: So ten minutes so he can go
3 down and have a good smoke break.

4 MR. BRUEGGEN: All right. Not a problem. So
5 we're back right about 12:30.

6 MS. BONJEAN: Okay.

7 MR. BRUEGGEN: That sound good?

8 MS. BONJEAN: Yep.

9 MR. BRUEGGEN: All right. Great. Thank you.

10 THE VIDEOGRAPHER: We're off the video record
11 at 12:19 at the end of Media Units 2.

12 | (Recess taken.)

13 THE VIDEOGRAPHER: We're back on the video
14 record at 12:33 at the beginning of Media Unit 3.

15 BY MR. BRUEGGEN:

16 Q. Mr. Maysonet, I just want to follow-up
17 what we'd just been talking about.

18 You told us that selling cocaine was
19 much more profitable than selling marijuana, right?

20 A. Yes, that's correct.

21 Q. And can you give us a general idea of
22 how much money you were making on a weekly or daily
23 or monthly basis back in the late 1980s from
24 selling drugs?

1 MS. BONJEAN: Objection; form, foundation.

2 You can answer to the extent you're
3 able to.

4 THE WITNESS: Well, it all depend how you --
5 you know, you prep, you sell -- to sell it, you
6 know. I mean, just like anything else, though. If
7 you go with small quantity, the more profit you're
8 going to make. If you go with big quantity, you
9 going to make still money, though, but not like you
10 really want to, though.

11 Say like -- I give you, say, you
12 know, an example. Like if you buy a house for a
13 thousand dollars, it says that, right, for -- this
14 is just an example, right? And you happen to buy
15 it off, you might -- out of that thousand dollars,
16 you probably come out with 50 grand. Depends.
17 Small quantity, \$10 bag, you know, might -- how can
18 you make out an ounce, you know. So yeah, you --
19 you very profitable.

20 BY MR. BRUEGGEN:

21 Q. And, sir, maybe my question was a
22 little confusing. I'm -- I was looking for like a
23 dollar amount, like you were making like \$20,000 a
24 week or \$5,000 a week. You personally. Because

1 you said it was very profitable. I'm just looking
2 your best recollection in the late 1980s?

3 MS. BONJEAN: Okay. I'm going to object to
4 the foundation of that question.

5 If you can estimate or give a range
6 maybe.

7 THE WITNESS: Again, you know, it just
8 depend, you know, how -- how many people they in
9 the corner. That's one thing, you know. If you
10 finally come out with five, six, seven, maybe a
11 \$1,000 a day, that would be -- that would be good.
12 That would be a good day, matter of fact.

13 But the more people -- you know, the
14 more people in the same corner that you sharing the
15 corner with, the same gang from your home -- your
16 home set, though, you know, again, you know, you --
17 you make money, but not like the way you want to,
18 though.

19 BY MR. BRUEGGEN:

20 Q. Thank you, sir.

21 When did you first interact with
22 Mr. Guevara?

23 A. I was in my -- in my teen years,
24 though. I was very young.

1 Q. Were you still in high school at that
2 time?

3 A. Probably I was in elementary school. I
4 was young.

5 Q. And can you tell me about your
6 interaction with Mr. Guevara?

7 A. Well, we didn't -- we didn't really get
8 to be friend when -- you know, after he raided my
9 house, though.

10 Q. And, sir, I -- I'm asking about the
11 first time you interacted with him back in
12 elementary school.

13 Was -- is that what you're telling
14 me about?

15 A. Well, we -- we -- he was -- he was a
16 detective in the neighborhood. So yeah, we always
17 see him around, yeah.

18 Q. And you would see him around.

19 When was the first time you
20 interacted with him, either he spoke to you, you
21 spoke to him?

22 A. I was young when I was -- when I was --
23 when we first got stopped by him, basically, yeah.

24 Q. What were you doing when you got

1 stopped by him?

2 A. We was -- we was just gangbanging, you
3 know.

4 Q. What do you mean by "gangbanging"?

5 A. We was just in the car having fun, you
6 know, goofing around, selling drug, though. You
7 know, just doing what normal kid do.

8 Q. And while doing that, what happened
9 with Officer Guevara?

10 A. He really -- he really came around and
11 he really stopped everybody, you know, like
12 searching the whole area, you know, watching
13 everybody down, see if there were any illegal stuff
14 around.

15 Q. Did he find -- sorry. Go ahead.

16 A. He just sneaking around, you know.

17 Q. Did he find anything illegal on you or
18 any of the people you were with?

19 A. No.

20 Q. And then what happened?

21 A. Just we go back to do our normal stuff,
22 you know. Hang around and just do what kids do.

23 Q. Did you have any other interactions
24 with him after that?

1 A. It that's when he raid -- raided my
2 house.

3 Q. How many years after that interaction
4 with him when you were in elementary school did he
5 raid your house?

6 A. Probably years later, though.

7 Q. Did you say a year later or years?

8 A. Years later, yeah.

9 Q. And do you have an estimate? Was it
10 two years later; was it four years later?

11 A. I'll say probably I was a little bit
12 more -- I was probably -- I understand a little bit
13 more about, you know, what I was doing. You know,
14 I was just a little more older, yeah.

15 Q. When Guevara raided your house, were
16 you still in high school at that time or had you
17 dropped out?

18 A. I was dropped out, yeah.

19 Q. Were you a member of the Latin Kings
20 with the set at Wabansia and Kimball when he raided
21 your house?

22 A. Yes.

23 Q. Tell me about him raiding your house.

24 A. It was one of those -- it was one of

1 those surprise things, though, you know. We was --
2 I was having a guy coming in and out of the house,
3 and the door was open. And little did what
4 everybody know, the police was across the street,
5 across the park behind the National Guard. And
6 they were just watching, you know, the movement
7 going in and out and cars stopping and stuff,
8 though, you know.

9 All happened by my house, though,
10 you know. It was a big mistake that I did, you
11 know. Never sell drug from your house, though, but
12 that day, you know, happen the people, they know
13 me. So they was ready for me to do what I was
14 doing there, though, before I get to my set,
15 though, you know. And beside, you know, make a
16 little money extra quietly, nobody will know, you
17 know. That was bad -- that was a bad way to do it,
18 though, you know. So you got to be smart what you
19 do.

20 It happened that he was across --
21 across the park watching what was going on, though.
22 That's how he then raided my house.

23 Q. And when he raided your house, did he
24 find any drugs?

1 A. No, no. He didn't find no drugs.

2 Q. And you say "my house," was it your
3 mother's house that you were living there or --

4 A. Yeah, yes.

5 Q. Do you remember the address?

6 A. 1530 North Kedzie.

7 Q. How many officers raided your house
8 with Guevara?

9 A. There was a number of officer, but
10 there was one in particular that he walked in with
11 him, though.

12 Q. There was one officer in particular
13 that was what?

14 A. With -- with Guevara.

15 Q. Okay. And do you know who that officer
16 was?

17 A. Joe Miedzianowski.

18 Q. Had you ever interacted with a Joe
19 Miedzianowski before he raided your house with
20 Guevara?

21 A. No. He was -- he was always a quiet
22 guy, never talked to him.

23 Q. When you say "he was always a quiet
24 guy," were you aware of who he was?

1 A. Well, it's just that I -- I didn't
2 speak -- I didn't speak English, you know, fully
3 English, though, by then, though. So basically,
4 you know, I didn't know if the guy talk Spanish or
5 what, though, you know. I never -- I never -- I
6 never talked to him. I never -- he was always
7 quiet, though.

8 Q. You never talked to Joe Miedzianowski?

9 A. No, never.

10 Q. When Guevara raided your house, what
11 did you know about Guevara?

12 A. What did I know about Guevara? That
13 he --

14 MS. BONJEAN: Yeah. I'm sorry.

15 I'm going to object to the form of
16 that question.

17 Go ahead.

18 THE WITNESS: He was a detective. That's
19 what we know. A cop.

20 BY MR. BRUEGGEN:

21 Q. He was just -- you knew he was a cop
22 and he worked in the Humboldt Park neighborhood?

23 A. Yeah.

24 Q. Anything else you knew about him?

1 A. Not -- not nothing to the -- up to that
2 moment that he raided my house.

3 Q. And so you said there was Guevara and
4 Miedzianowski was around Guevara. And how many
5 other officers?

6 A. I cannot tell you the number of the
7 cars there was that day, the number, but there were
8 quite enough officers, though, you know, to go and
9 raid my house and look for whatever they were
10 looking for.

11 Q. And I think you mentioned earlier that
12 the door was open.

13 Did they just come into your house?

14 A. Yes. They just walk in like they were
15 living in there.

16 Q. Did they give you a warrant or anything
17 or did they just come in?

18 A. They came in and they did give me
19 warrant to my mom, not to me.

20 Q. And who did you speak -- did you speak
21 to any of the officers when they came in?

22 A. Guevara, yeah. I did speak to him.

23 Q. Did Guevara say something to you when
24 he came in?

1 A. We were just talking in Spanish,
2 though. He was just -- tried to explain himself,
3 the reason why he -- you know, he came in, though,
4 in the house, though, or why they raided the house,
5 though.

6 Q. What did Guevara say to you?

7 A. That he want to know if there's any
8 drugs coming or selling from -- from the house,
9 from the basement, basically. We were living in
10 the basement back then.

11 Q. You said "we." Who was living in the
12 basement?

13 A. My family. My mom, my stepfather, my
14 brother, and my sister.

15 Q. What did you tell Guevara when he asked
16 you if there were any drugs in the house?

17 A. When he asked me if there's any -- any
18 drugs in the house, I told him no. Or anything.
19 They said anything. Guns, drugs, anything, he
20 wanted to know.

21 Q. Did you have your -- you told us about
22 you had a personal gun, told us about that earlier.
23 Was that in the house at the time?

24 A. No. Didn't have the gun. I left it

1 somewhere.

2 Q. So what happened after you talked to
3 Guevara? Did the officers search your house? What
4 happened?

5 A. When they were searching the house,
6 they couldn't -- basically, they didn't find
7 nothing. And Guevara, he walk in the basement
8 where the laundry, where they had the washing
9 machine. And it happened that -- you know, that I
10 was walking with him because he wanted me, he
11 didn't want nobody of my family, though.

12 So we happened to -- then we walk
13 through the basement. And he found bunch of
14 baggies. You know, that's what we were --
15 basically what we were doing, you know, our --
16 our -- you know, our bagging, putting stuff -- you
17 know, prepping stuff for sale, though, you know.

18 And he walk in there and he saw all
19 the -- you know, all the elements. And he said
20 that -- that he know what's going on in there and
21 if he ever found out, we -- I was going to be in
22 trouble.

23 But he always said that there's a
24 small price to pay if you don't want to get

1 yourself in trouble, though. I didn't know what he
2 mean with that, though, back then, though, you
3 know.

4 Q. So when you spoke to Guevara when he
5 first came in the house, did he give any indication
6 why they thought you had drugs in the house?

7 A. Yeah. He -- he keep watching people
8 going in and out of the house, though. That's
9 basically what prompt him, you know, to go in,
10 though, him and the other officers.

11 Q. And then once they got in, they didn't
12 find any actual drugs in the house, right?

13 A. No drugs. No gun.

14 Q. But you said he found baggies and other
15 stuff that you used for breaking up the drugs?

16 A. Big scale, you know. You know, it's
17 tough that, you know, you going to think, you know,
18 yeah, there's something going on in here, though,
19 you know, but they never found basically what they
20 were looking for: money, drug, gun, you know, none
21 of that. My mother house, you know. I mean, you
22 can't have that in there.

23 Q. So but did you say that you had had
24 drugs in your house to break them up in your

1 mother's house?

2 A. No. In the basement by the laundry,
3 yeah. Not in the house.

4 Q. Sorry.

5 In the basement area, you -- is that
6 where you'd break up the drugs?

7 A. That's where we break up, yeah. That's
8 safe place for us to do what we were doing in the
9 basement. This is the laundry room, basement.
10 Yeah. Laundry room, basement, same.

11 Q. So can you describe what Guevara looked
12 like?

13 A. Back then he was a big guy with a
14 mustache, kind of curly hair. He always wear
15 glasses, though. A little bit of white complexion,
16 though, you know, him being Puerto Rican.
17 Light-skinned, yeah. They call it light-skinned.

18 Q. And you mentioned he spoke to you in
19 Spanish?

20 A. Guevara, he always spoke to me in
21 Spanish.

22 Q. What about the other officer that you
23 said was Joe Miedzianowski? Can you tell me what
24 he looked like?

1 A. He was tall Caucasian guy, kind of --
2 you know, kind of husky guy, though, you know. He
3 always had a pushed back, you know, haircut,
4 though, you know. Clean haircut, that's should I
5 say, though, you know. Had big -- big old blue
6 eyes, though, you know. He always quiet, though,
7 you know, like a peaceful guy. He looked mean,
8 though, but he being mean peacefully, though, you
9 know.

10 Q. During that raid, did you talk to any
11 other officer besides Guevara?

12 A. Just Guevara.

13 Q. You said you and Guevara went
14 downstairs to the laundry room area, basement,
15 laundry room?

16 A. In the -- in the laundry room, yeah.
17 That's -- they went -- he went and search in there.
18 He took me. Miedzianowski, he walk with him too,
19 so -- but he was a quiet one.

20 Q. So when you were down in that laundry
21 room, who was present when Guevara talked about
22 that you can get in trouble for selling drugs?

23 A. Miedzianowski, he was there.

24 Q. Was anybody else present?

1 A. No. Guevara.

2 Q. So you, Guevara, and Miedzianowski?

3 A. Yeah.

4 Q. Did Guevara say anything else?

5 A. He -- he just told me he want to make
6 sure that I'm aware that he know what's going on,
7 you know. So basically, you know, don't be playing
8 dumb with me. Basically that's what he was doing.

9 Q. And to be fair, he was right in
10 assessing that?

11 A. Sure.

12 Q. Did he say anything else to you?

13 A. Not -- not at that moment, though.
14 Just he keep -- he keeping an eye on me. That's
15 what he say.

16 Q. Did he -- sorry. Go ahead?

17 A. Well, you know, the conversation, you
18 know, when -- when we were -- when he was talking
19 regarding -- you know, I tried to be play -- play
20 dumb with him, though, you know, that's -- and he
21 found the baggie. I mean, it was quite a lot, you
22 know. I mean, he always say, you know, if -- if
23 you get yourself in trouble, you know, there's a
24 small price to be paid for. I didn't quite

1 understand what he said with that, though. Maybe
2 he talk about me getting myself in trouble, though,
3 you know, and how I'm going to pay, you know, the
4 price, though, you know. I really don't know what
5 he mean with that, though.

6 Q. Anything else that you said to him?

7 A. I kept my mouth quiet. I -- you know.
8 I got scared.

9 Q. And what happened next? Did the police
10 then leave when they couldn't find anything?

11 A. Yeah. They -- they left after, you
12 know, they destroyed everything, you know. So when
13 they left, that's -- that basically was my worry,
14 you know, about getting myself in trouble started,
15 though, you know.

16 Q. And did you get in trouble with your
17 mom for having the police raid your house?

18 A. Big time. I really did.

19 Q. And what did she do?

20 A. Tell me what she didn't did.

21 Q. Did she send you back to Puerto Rico or
22 anything?

23 A. Yeah. After I got my ass beat up. I
24 got whooped real bad that day.

1 Q. When was the next time you interacted
2 with Guevara?

3 A. Same -- probably somewhere around the
4 same year. I met him in -- I met him through -- I
5 kind of met him real good through a friend of mine.
6 I got introduced to him through a friend of mine.

7 Q. Who was that friend?

8 A. His name was Juma. That's street name.

9 Q. And do you know his real name?

10 A. No.

11 Q. Do you know anything about Juma?

12 MS. BONJEAN: Objection to the form.

13 Anything about?

14 BY MR. BRUEGGEN:

15 Q. Mr. Maysonet, what can you tell us
16 about Juma, who you said was a friend? Can you
17 tell us where he lived, where he worked?

18 A. No. I don't -- I really don't know --
19 I really didn't know where he lived, though. I
20 knew where he -- where he worked. He had a
21 restaurant -- well, kind of restaurant, though, you
22 know. Like -- like I don't know how do you say it,
23 though, but he didn't have no name, the restaurant
24 had no name.

1 Q. Where was the restaurant located?

2 A. Right on Sawyer, North Avenue.

3 Q. What type of restaurant was it?

4 A. It was just kind of like a -- like a
5 restaurant, whole thing, you know, when you really
6 want to eat, you can buy food and eat there. Or if
7 you really want to throw like some kind of party or
8 stuff, you can rent the hall and whatever come in
9 packet with it, though.

10 Q. Did you say Juma owned that restaurant?

11 A. He did, yeah.

12 Q. And how did you meet Juma?

13 A. I met him -- I was walking with -- I
14 was walking with the -- the mother of my son -- or,
15 actually, the future mother of my son. And we were
16 walking down the street and somebody, he was
17 running down the street. And I saw Juma behind the
18 guy chasing him, but I also saw the guy had
19 something in his hand. What he was holding was
20 Juma's jewelry. He snatch them and he just started
21 running. I didn't saw that, but that's what he
22 said to me.

23 All the sudden, the guy come and
24 touch me. And the guy, he keep looking back

1 because he just want to see how far he was from
2 him, which he was not far from him. And I am
3 tripping him. I put my leg -- and me being Latin
4 King from the neighborhood, again, going back to
5 the rule, though, you're not supposed to steal in
6 the neighborhood. So I decide to trip the guy and
7 he fall. And I went and jump in top of him and --
8 just to hold him down, really. You know, I really
9 didn't know, you know, what really he did, though,
10 only other than he had some jewelry in his hand and
11 I saw Juma chasing him. So Juma jump in top of
12 him. Again, he probably, you know, punch the guy a
13 couple times, took his jewelry. And to everybody
14 surprise, he let him go. He told him, get out of
15 here, you don't belong around here, though, you
16 know, we don't like you type of people around here
17 like that, though, you know. So he left.

18 So then he -- he changed his focus
19 to me. So I'm like, the only thing I try to do,
20 you know, just, you know, do the best that I can,
21 though, you know. He say, no, no, you did good,
22 kid, you did good. You know, I'm like, whoa, you
23 know. So he surprised me.

24 I met him. He took him me to the

1 restaurant. We ate. We -- you know, we had a
2 chance to talk, whatever, though, you know. And he
3 invited me to the restaurant and to -- one day I
4 went over there, though, you know, and little did
5 that I didn't know, Guevara and Miedzianowski, they
6 were there at the restaurant. And that's how I met
7 him, you know, Guevara.

8 Q. When did that incident occur where Juma
9 had his jewelry snatched and you tripped the guy
10 for him in relation to the raid on your house by
11 Guevara?

12 MS. BONJEAN: I'm going to object to the form
13 of that question.

14 If you understand what he's asking.

15 THE WITNESS: No, I don't. I don't
16 understand.

17 BY MR. BRUEGGEN:

18 Q. And, sir, what I'm looking at is did
19 the raid on your house with Guevara happen first or
20 did you meet Juma first?

21 A. You know what, I'm -- no. I'm -- I
22 meet Juma in -- I meet Juma from the neighborhood,
23 though, you know, just by eye and stuff, though.
24 But when I really -- when I really became to meet

1 Juma it was that day that I tripped that guy,
2 though, you know, but yeah, after -- after Guevara
3 raid my house.

4 Q. Okay. So -- and that's when you became
5 friends with Juma?

6 A. With Juma, yeah.

7 Q. After --

8 A. Yeah. We were good friend.

9 Q. And were you good friends just because
10 you had helped him recover his stolen jewelry?

11 A. We became to be friend more than that.
12 I mean, he -- basically, he teach me a lot though,
13 you know, of the street, though. Selling drugs is
14 one thing, you know. I mean, being quiet, not
15 being flashy, that was another thing. I learned a
16 lot from him. He was a good guy. Remember, I was
17 young.

18 Q. What did he teach you about selling
19 drugs?

20 A. Don't be bragging around what you do,
21 always keep focus what you do, though, you know,
22 don't trust nobody.

23 Q. Did Juma sell drugs?

24 A. Juma, yeah, he did.

1 Q. Was he affiliated with any gang?

2 A. No, no.

3 Q. Were the Latin Kings aware that he was
4 selling drugs?

5 A. Yes.

6 Q. And they were okay with that?

7 A. As long as you pay the price, yeah.

8 Q. Was he selling drugs out of his
9 restaurant?

10 A. The restaurant, pretty much it was just
11 a front of, though.

12 Q. When you say "just a front of," are you
13 saying it was a front for his drug business?

14 A. Yes.

15 Q. So the restaurant did serve food, but
16 it was predominantly a front for his drug business?

17 A. Yeah. A lot of things going on in
18 there.

19 Q. And has the restaurant would have been,
20 if you will, a couple blocks east of your territory
21 at Kimball and Wabansia?

22 A. Yeah, yeah.

23 Q. So tell me about this day that you went
24 in to eat at Juma's restaurant and you saw Guevara

1 and Miedzianowski.

2 How long after the raid on your
3 house did you see Guevara and Miedzianowski in the
4 restaurant?

5 A. I don't understand what you're saying,
6 though. Can you say more specifically, though? I
7 can't understand you.

8 Q. No, no problem.

9 I'm looking for how much time passed
10 from the time that Guevara raided your house. Was
11 it a year later that you saw him in the restaurant?
12 Was it a month later; was it a week later?

13 A. Like months later, weeks later, though,
14 I'll say. Probably, yeah.

15 Q. So what happened when you saw Guevara
16 in the restaurant?

17 A. Oh, I was -- I was surprised to see
18 somebody that he raided my house, though, you know,
19 in the restaurant, but more shocking to me that he
20 was drinking and doing drugs, though, you know.
21 Really didn't know what kind of man he was until
22 that day that I met him in there.

23 Q. Do you know what Guevara and
24 Miedzianowski were doing at Juma's place?

1 A. I think they went over there to have a
2 good time, you know, just to kick back and talk.

3 Q. Were they eating?

4 A. Little drink.

5 Q. And they were eating and drinking at
6 Juma's restaurant?

7 MS. BONJEAN: That's not what he said.

8 Repeat what you said.

9 THE WITNESS: You go there just to have --
10 just to have a good time.

11 MS. BONJEAN: Well, what were they doing?

12 THE WITNESS: Business, like usual, you know.
13 They talk, you know.

14 BY MR. BRUEGGEN:

15 Q. So were they drinking?

16 A. Oh, they -- there was a lot of
17 drinking, a lot of drug going on in there, yeah.

18 Q. And did they -- were they eating there
19 and drinking or --

20 A. Everything. You go eat. You go do
21 drug. You go have fun with girl. You go do
22 whatever you want to do, as long as stay in there.
23 That's like Las Vegas, though. Whatever happen in
24 there, stay in there.

1 Q. So where did you see Guevara and
2 Miedzianowski in the restaurant?

3 A. When did I saw --

4 MS. BONJEAN: No. Where.

5 BY MR. BRUEGGEN:

6 Q. No. Where, where in the restaurant?

7 A. In the back in the kitchen.

8 Q. What were they doing when you saw them?

9 A. Actually, they were, you know, talking
10 with Juma and doing little -- you know, little
11 coke, snorting, drinking. I don't know what they
12 were talking about, though. Only thing that I know
13 when I got introduced to Guevara, though, you know,
14 what we talk about.

15 Q. Okay.

16 A. I don't pay attention, you know,
17 what -- what Juma do there, though.

18 Q. How did you end up in the -- in the
19 back kitchen area?

20 A. Taking, you know, stuff to the back,
21 though, like dirty dishes and stuff, though, you
22 know. Give him a hand, though, you know. Keeping
23 the place nice and organized, though, you know,
24 before anybody come.

Q. So what happened when you walked in the back and you saw Guevara and Miedzianowski?

3 A. I got shock. Like I say, I was
4 surprised see somebody that -- you know, that he
5 raided my house with earlier, though, you know, or
6 month earlier, though, you know. He -- he was
7 shocked too hisself, though. He opened his eyes,
8 though, you know. And when I got introduced to
9 him, he said, oh, I -- he's from around -- he's one
10 of the kids from around the neighborhood, I already
11 met him. And Juma basically, you know, he always
12 tried to put me under his wing. So Guevara told
13 him that he raided my house for the reason that he
14 raided my house for, though, you know. And Juma,
15 right there he just told him, you know, He's --
16 he's my buddy, he's my friend, he need to be
17 protected, though you know. So that's when we
18 engage in the same conversation again about, you
19 know, for everything there's a price to be paid
20 for.

21 So the thing that Juma teach me,
22 that's basically what -- what I did, though, you
23 know. I started making better business because
24 Guevara, though, basically. Everything that I

1 always wanted to do, though, you know. I needed
2 to -- I got what I always wanted, someone who can
3 keep the eye in what going on in the neighborhood,
4 though, you know. Quietly, though, you know,
5 without nobody knowing, though.

6 Q. So at that day that you saw Guevara and
7 Miedzianowski there, Juma knew that you were
8 selling drugs?

9 A. Yeah.

10 Q. And you had talked to him about that
11 and he was kind of like a mentor for you?

12 A. He was my supplier.

13 Q. Oh, Juma was your supplier?

14 A. Yeah.

15 Q. And what did he supply?

16 A. Anything that I wanted and any -- if
17 you had the money, you working today. If not, go
18 somewhere else.

19 Q. So Juma told Guevara that you were
20 selling drugs and you needed protection?

21 A. No. It was -- basically what he --
22 what he -- what Juma told Guevara, you know, that
23 I'm his buddy, you know. I'm -- he's my little
24 buddy right here, though, you know. He didn't want

1 nothing to happen to me. Once he heard what
2 Guevara did, though, you know, he stop him,
3 basically, though, you know. And he told him, No,
4 keep an eye on him, protect him, though, you know.
5 He work for us, basically.

6 Q. Okay. I gotcha.

7 So Juma basically, after he heard
8 that Guevara had raided your house, he vouched for
9 you and said he's a good --

10 A. Yeah.

11 Q. -- meaning you, was a good guy?

12 A. He with me.

13 Q. What happened after that? Did Guevara
14 say anything?

15 A. Yeah. We -- we engaged again in a
16 conversation about the price, about what he said
17 that for everything there's a price for it. So I
18 kind of put one and one together, so now I figure
19 out, you know, what's -- what was the deal about
20 it, about that, though, you know. So we end up
21 having a conversation, though. You know, we --
22 like I say, we became to be, you know, real good
23 buddies. We -- we came to be real good buddies,
24 though, you know. We -- I was doing good. What I

1 was doing, it was -- I was doing way better than
2 what I was doing before, you know. I don't have to
3 worry about the police no more.

4 Q. So and you said we got to be good
5 buddies, who is the "we"? You and who were good
6 buddies?

7 A. Meaning -- you mean me and Macho?

8 MS. BONJEAN: No, no. He said who, when you
9 said we became good buddies --

10 THE WITNESS: Oh, me and Guevara, yeah. Me
11 and -- and Reynaldo.

12 BY MR. BRUEGGEN:

13 Q. So you just told me that you talked to
14 Rey about price. Was that at the restaurant when
15 Juma was there?

16 A. In the restaurant, yeah.

17 Q. And what did Rey say to you, and Rey --
18 Rey Guevara say to you?

19 A. We'll talk. We would talk.

20 Q. And I'm wondering what do you recall
21 that Guevara said to you there at the restaurant?

22 MS. BONJEAN: He just answered that question.

23 THE WITNESS: Yeah. He -- he said we talk.

1 BY MR. BRUEGGEN:

2 Q. Okay. Guevara told you you would talk.

3 A. We would talk, you know. Like, you
4 know --

5 Q. You --

6 A. That we going to -- we going to sit and
7 talk again, though, you know. Basically that's
8 what he mean with that.

9 Q. So did you talk to Guevara about prices
10 or anything at the restaurant at that time that you
11 met him?

12 A. Not in that moment, though, but when
13 time went by, we really did sit and we talk about,
14 you know, what should I do, you know, for me to,
15 you know, make thing more better. So again, there
16 were rules, you know, that we got to follow,
17 though, you know, because we -- we didn't want
18 him -- we really didn't want him -- we don't want
19 throw him off and we really -- I didn't want to
20 throw myself off either, though, you know.

21 You got to remember, I'm a Latin
22 King, though, you know, and doing what I was doing,
23 though, you know, it's a very thin line that I was
24 walking on, you know. I'm playing both sides of

1 the fence. So, you know, in the gang, that's a
2 no-no.

3 Q. And what were the two sides of the
4 fence you were playing?

5 A. I was being good buddy with a cop and
6 being good buddy with the Latin King. So you
7 better be one side or the other, though, you know.

8 Q. So when Guevara told you at the
9 restaurant that we'll talk, did he say when?

10 A. No. We -- he didn't -- we didn't
11 specifically say the day, you know, and stuff like
12 that, though, you know. It just happen out of --
13 out of the blue like that, you know, when -- when
14 he came around. And I was in the park, we were --
15 I was in the park when we really got -- when I
16 really got stopped, and I thought I was getting
17 stopped because my -- my sound from my car, but I
18 had a big ass -- big ass, you know, joint, big, you
19 know, Cheech & Chong joint, like I said back then,
20 though, you know.

21 And I remember when Guevara stopped
22 the car, you know, I was just like in the middle of
23 the street in the park, and everybody saw what
24 happened. So we decide to throw the joint away and

1 stuff, you know. And he went and pick it up and --
2 because he saw that I was with Santiago, he -- he
3 pull me to the side. He want to give me the joint.
4 And he go and say, I don't care, you go and smoke
5 it, though, you know, you guys aren't doing nothing
6 bad, you know. Tried, though, you know, I mean,
7 now we can have a chance to talk about, though, you
8 know.

9 So that's how Macho, he -- you know,
10 me and him, we were real close, you know, and I
11 talked -- I talked to Macho about it. I told him,
12 you know, we -- I got good feeling about this guy,
13 though, you know. I mean, should we -- you know,
14 should we get him to do something for us, though,
15 you know, and keep it quiet, though, you know, and
16 do things better, though, you know.

17 Remember, it was about competition.
18 We're doing good, though, but quietly, though, you
19 know.

20 And that's when he said, you know,
21 you know what we're getting into if they all found
22 out, you know, we -- we might get smoked, you know.
23 So I'm like, well, might him too, you know. He
24 might get himself in trouble with the gang, though,

1 you know, but we figured out that he -- you know,
2 he a cop, you know. How the hell he going to get
3 in trouble with the gang, though, you know?

4 So that was our reputation that we
5 had to protect, though, you know, and be quiet
6 about it.

7 Q. So how long after your interaction with
8 Guevara at Juma's restaurant did you see Guevara in
9 the park when you were with Santiago smoking the
10 big joint?

11 A. Probably like few days later, though,
12 I'll say.

13 Q. And when you say "the park," is that
14 Humboldt Park?

15 A. Yeah, Humboldt Park.

16 Q. And you and Santiago were just sitting
17 out on a park bench or something?

18 A. No. We just cruising, and I was just
19 smoking a joint, you know. He don't smoke. He
20 really -- the guy, he don't do drugs, though, you
21 know. That's what amazing me, though, you know.
22 And very intelligent person, though, you know. It
23 just happened to meet him, you know. But how we
24 started selling drugs, we were with him, you know,

1 basically, though, you know, and -- and once the
2 chance came and have someone, you know, like
3 Guevara, though, you know, I mean, that was just
4 like a dream come true, though, basically. But at
5 the same time, you know, it was -- we were walking
6 on thin line, though, you know. But we accomplish
7 what we wanted, though.

8 Q. Okay. And --

9 A. And, you know, had that protection that
10 we were looking for from the other cop, not from
11 the gang, just from the cops, though, you know. We
12 don't want the police to mess with us, though, you
13 know. Especially us, me and him.

14 Q. So let me make sure I understand.

15 You were driving around in a car.

16 Did Guevara pull you guys over --

17 A. Yeah.

18 Q. -- in a police car?

19 A. In a -- it was an unmarked car.

20 Q. But he pulled you over like with a
21 siren or just --

22 A. No. Just -- he just turn the lights
23 on, so you know that -- what time it was, though,
24 you know.

1 Q. And what did Guevara say to you then?

2 A. After he give me the joint, you know,
3 and basically he want to know the guy who was with
4 me, so I told him he was my right-hand man. I
5 don't want to front the guy say, oh, yeah, he's the
6 chief or the Kimball-Wabansia, you know, guy,
7 though, you know, no. You know, just -- just he's
8 my right-hand man, though, you know.

9 So he like whatever, you know, you
10 decide to do, you know, this is my price. So we
11 started with small amount of money. We -- we want
12 to know how we want to deliver the money to him
13 without, you know, causing too much attention,
14 though, you know.

15 And -- and to my surprise, you know,
16 we were doing -- we were doing things right, you
17 know, in the street, though, just, you know,
18 quietly, though. He come stop me, maybe he'll put
19 me in -- put the hands in the wall. I might have
20 some money in the pocket with him. People, they
21 don't know that he might take the money thinking --
22 he going to make everybody think that drug money,
23 I'm going to take it from him. But what the other
24 people, they don't know you're paying him in front

1 of everybody. Nobody didn't know. So you guys
2 found way to do things, you know, without causing
3 too much attention, though.

4 Q. So when Guevara pulled you over, you
5 told Guevara that Santiago was your right-hand guy?

6 A. Yes.

7 Q. So did you imply to Guevara that you
8 were in charge, not Santiago?

9 A. Well, in -- in selling drug, though,
10 you know, I don't want to get the chief involved in
11 nothing, though, you know. You always have to
12 protect him, you know. You take the bullet for
13 him.

14 Q. Was Santiago the chief?

15 MS. BONJEAN: Objection to the form. This
16 has been asked and answered. And I'm -- I'm
17 getting tired of those questions. Ask him once
18 and -- and be done with it.

19 BY MR. BRUEGGEN:

20 Q. Sir, you can answer the question.

21 A. Yeah. He was the chief.

22 Q. And so you said you had to talk to --
23 did you -- I thought when you were answering
24 earlier you said you talked to Santiago about what

1 Guevara was talking to you about?

2 A. Actually, when we were -- when I was --
3 when I was -- when I was driving the car, you know,
4 I was just -- we were just talking about that
5 fantasy that I have whereabouts we can have some of
6 these cop, you know, paying them off and, you know,
7 keep an eye on what we do, you know.

8 We got enemies out there, though,
9 you know. I mean, you -- you can get it from your
10 own gang too and you -- you don't know nothing,
11 though, you know. Right now, why not have someone
12 like him, though, you know. He had the eye too for
13 it. And besides, you know, he was Puerto Rican.
14 We can communicate.

15 Q. And so for -- when Guevara told you the
16 price, did you agree to it or did you need to talk
17 to Santiago to get his permission as the head of
18 your set?

19 A. I agreed. I knew what I was doing.

20 Q. And I think you -- you said you started
21 off small. Can you tell me what that means?

22 A. Started small like selling drugs, you
23 mean?

24 Q. Yeah. I think you said, you know, with

1 Guevara, we started off small, and I'm just trying
2 to figure out what that means.

3 A. Well, when we started small, we -- I
4 believe we were paying like \$2,000. And we see,
5 you know, if what he was promised to us, though,
6 you know, he do good, though, you know, which he
7 did, though, you know. I mean, he did good.

8 Q. What was the \$2,000 for?

9 A. For having other officer not to come
10 and mess with us though.

11 Q. Was that for a certain period of time
12 or was that a one-time thing?

13 A. No, no. It was just for period of
14 time, yeah.

15 Q. When Guevara stopped you when you guys
16 were cruising through the park, who was with him?

17 A. Miedzianowski.

18 Q. When Guevara pulled you over, did he
19 walk up to the car to talk to you guys, when he
20 brought the joint?

21 A. Well, I throw the joint out of the
22 window when I was driving. Then I stop probably
23 like -- I don't know, probably a few feet away from
24 the joint. And he got out of the car. We got

1 ordered to get out of the car. He knew it was me,
2 though. So I just stood right there near the car
3 with my hands in -- in top of the hood of the car.
4 And then he went and got the joint.

5 And after he search me and stuff,
6 he -- he give me the joint back. And I turn
7 around. We start talking. And that's how, you
8 know, we refresh our mind about, you know, what we
9 talk in the restaurant and stuff, though, you know,
10 and we agree.

11 I talked to Macho. He agree. He
12 was the chief, though. As long as we keep it
13 quiet, though, you know, nobody -- they don't know
14 about it, though. And we pursue what we wanted to
15 do, though, you know. It was just simple.

16 Q. So keeping it quiet, was it kept quiet
17 from other sets of Latin Kings?

18 A. All the gang, yeah.

19 Q. What about other -- go ahead.

20 Did you guys keep it quiet from
21 other members in your set?

22 A. Everybody.

23 Q. So the only people that talked to
24 Guevara or knew about this agreement with Guevara

1 was you and Santiago?

2 A. I do most of the talk, not Santiago.

3 Q. Yeah, but Santiago was aware of the
4 talk?

5 A. He was my mentor.

6 Q. And Santiago knew that you were talking
7 to Guevara?

8 MS. BONJEAN: I'm going to object to the --
9 to the form of that question.

10 But go ahead.

11 THE WITNESS: Yeah, he knew. We -- you know,
12 he knew what Guevara was going on.

13 BY MR. BRUEGGEN:

14 Q. And so you started off small paying
15 \$2,000, right?

16 A. Um-hmm.

17 Q. Is that a yes?

18 A. Yes. Sorry.

19 Q. And then where did things go from
20 there, sir?

21 A. It got better. You know, more money,
22 more the pay, right? So it was doing good. We
23 were doing good.

24 There was one time I got stopped;

1 there was one time I got stopped. I went out with
2 Macho. And Guevara, right, they stop everybody,
3 right. There were a bunch of cops that day, man.
4 And it happened that I was just going right to
5 where they were having everybody against the wall.
6 And me, like an idiot, I just drive through it with
7 my sound loud, and he put pulled me to the side.
8 And my guy that he was with me, you know, he didn't
9 know what going on between me and him. He kept my
10 guy and he let me go.

11 And everybody like what happened?
12 What did he did that for, though? You know, I
13 thought he was going to arrest -- arrest us,
14 like -- now, remember, I don't got no record,
15 though. I'm a good kid, though, you know. So I
16 don't represent like you guys represent, though,
17 you know. So he let me go, though, you know.

18 You know, it was a lot of times lot
19 of people ask question, though, you know. You
20 always have to have some kind of lie just to cover
21 things up, though, you know. You got to play it
22 all off.

23 Q. And that example you just gave, was
24 that Guevara that pulled you over or another police

1 officer?

2 A. Oh, no, it was Guevara. Guevara, he
3 was there. He was -- there were bunch of officers,
4 but Guevara, he was like the one who basically
5 pulled me to the side, though.

6 Q. So in that example you just told us,
7 Guevara pulled you and another friend over; the
8 friend got arrested, but you were let go?

9 A. No. He -- he didn't get arrested. He
10 just, they kept him there, you know. He just let
11 me go, you know. Whether he got arrested or not, I
12 don't know. I just -- I left. I was lucky too. I
13 had a gun in any car.

14 Q. Why did you need to keep this agreement
15 with Guevara quiet from the other sets of Kings?

16 MS. BONJEAN: I'm going to object. This has
17 been asked and answered.

18 But you can -- you can -- I think he
19 really actually went into a fair amount of detail
20 about why.

21 But go ahead. You can answer again.

22 THE WITNESS: Keeping things quiet,
23 especially with cop, you know. It not going to
24 look very appetizing for the rest of the gang. It

1 just -- you can't play both side of the fence.
2 Remember, that's a no-no. They going to think you
3 a snitch.

4 Someone can get locked up or he can
5 get someone looked up, and they can see that our
6 friendship, they going to think, you know, that I
7 might have something to do with that, or I'm
8 snitching. Anything they can say that not true,
9 though. You can get yourself in trouble once
10 everybody see what going on, though, you know.
11 Whether you in the right or not, you know, if
12 people get mad, you're going to get it, you know.

13 BY MR. BRUEGGEN:

14 Q. And so in this agreement you had with
15 Guevara, what was he supposed to do for that
16 \$2,000? You told us that he was supposed to make
17 sure you guys didn't get arrested by the police.
18 Was there anything else he was supposed to do?

19 A. Only thing he might just keep all the
20 cops away from our business, though. That's all.
21 Just simple. We don't want him to do bad, just
22 keep everybody away from us, let us make some
23 money. We're going to look out for you no matter
24 what, though, you know.

1 Q. Do you remember how old you were when
2 you had this agreement with Guevara?

3 A. I was just young. I was just a
4 teenager. Again, though, you know, just -- I was
5 not even 20 years old. I was young.

6 Q. You said you initially paid him \$2,000.

7 Did you pay him any other amounts?

8 A. When the time went by, yeah, I mean, we
9 started giving him more -- more money, though.

10 Q. And was the money tied to any time
11 period? Did you have to pay on a certain schedule
12 or was it you just gave him money when you wanted?

13 A. You know, it's just a weekly thing that
14 we do for him, though, you know. Just basically
15 like another regular job, though.

16 I know he mention a lot of time that
17 he never -- he don't get paid enough doing what he
18 was doing, though. So I guess what we were doing
19 for him, you know, it was hurtful for him. Again,
20 you know, he just -- he gets money.

21 Q. How long did you have that agreement
22 with Guevara?

23 A. Until I got arrested.

24 Q. Until you got arrested which time, sir?

1 A. 1990.

2 Q. Was that for the attempted murder?

3 A. Yeah.

4 Q. Okay. Did you have any other
5 interactions with Guevara other than the ones you
6 told me about?

7 A. When he tried to hook my friend Macho.

8 Q. Can you tell me about that, sir?

9 A. He came -- it was in 1990 when -- it
10 was -- it was in 1990 when he -- when he came and
11 accuse my friend about something, that he shot
12 somebody. And I had to mention him about deal.
13 We -- we wanted to be protected, though. And
14 things went bad. We -- he disagree and we got into
15 a big argument in the corner. He left because
16 basically we were -- we got so loud, and he went
17 and arrest my friend. And ever since, you know, I
18 didn't pay him no more.

19 Q. So when you had that agreement with
20 Guevara, Guevara -- you had told Guevara that Macho
21 was your right-hand man, right? That's what you
22 told us earlier?

23 And despite that, you said --

24 THE COURT REPORTER: I'm sorry. I didn't get

1 an answer.

2 THE WITNESS: I don't -- what happened?

3 BY MR. BRUEGGEN:

4 Q. You had -- let's just do it over.

5 You had told Guevara that Macho was
6 your right-hand man, right?

7 A. Yeah. He -- he -- he kind of knew, you
8 know, more than -- more the time go by, you know, I
9 kind of -- we kind of let him know what going on,
10 though, you know, and who all in -- who was the
11 chief and that, though, you know. So he -- he kind
12 of knew, though, what business, what going on,
13 though, you know. But I'm the one that I do the
14 talk and do the business with him, though, you
15 know. Even though Macho, he was there too, he was
16 my protection, though, my right-hand man. Like I
17 said, though, you know, everything I do, I would
18 have him with me. That I can tell you, though.

19 Q. So Guevara knew that Macho was involved
20 in the agreement you guys had with him?

21 A. Macho knew, yeah.

22 Q. No. I -- I'm saying Guevara knew that
23 it was you and Macho for the agreement with
24 Guevara?

1 MS. BONJEAN: Objection to the form of that
2 question, what Guevara knew.

3 Go ahead.

4 THE WITNESS: I always pay him, whether get
5 money from Macho and me. We always pay him, you
6 know. Guevara might think money only come from me,
7 though, but really not. It comes from Macho too,
8 though. He just -- he didn't -- he was not aware
9 about it.

10 BY MR. BRUEGGEN:

11 Q. And what I'm getting at, Mr. Maysonet,
12 is even though you had that deal with Guevara, he
13 still came and tried to arrest Macho?

14 A. Yeah.

15 Q. Is that what you said?

16 A. Yeah.

17 Q. And you said that you and Guevara then
18 got into an argument about it?

19 A. Well, we did got into the argument
20 because how can you pay someone and he give you a
21 word of protection, and then suddenly you're going
22 to come and take one of your guy, especially
23 someone who real close to you? You know, it just
24 don't make no sense, you know. He's -- actually,

1 he -- he's an innocent man, though, you know. For
2 whatever the reason, though, you know, he just --
3 he want to hook him in, you know.

4 BY MR. BRUEGGEN:

5 Q. Other than your agreement with Guevara,
6 did you have any other interactions with Guevara?

7 A. If I had any other action after he
8 arrest my friend?

9 Q. No.

10 Other than the agreement you just
11 told us about where you had this alleged agreement
12 where you gave Guevara money, did you have any
13 other interactions with Guevara?

14 A. Yeah, yeah. He -- like I say, he was a
15 good guy, though, you know. He went to my house
16 when I was living with the mother of my son. How
17 many time he went to my house, you know, and eat,
18 you know. Eat good Puerto Rican food, though, you
19 know. How many time, you know, I'm -- you know, I
20 mean, I brung girls for him to met too, though, you
21 know. I did treat him like -- like a good person
22 though, you know. I really did, though, you know.
23 He was comfortable around me and I was comfortable
24 around him.

1 Q. So you had Guevara over for dinner with
2 you and your girlfriend?

3 A. Yeah, yeah.

4 Q. Was that when you were living with your
5 mom or were you living somewhere else?

6 A. I was living with the mother of my son,
7 like I said, you know, yeah.

8 Q. And you said -- also said something
9 about girls. What did you say?

10 A. I had girls. We -- you know, there
11 were times that we had some females around, though,
12 you know, and still have good times, you know.
13 Have good quality time, should I say, though, you
14 know.

15 Q. And can you tell me what you mean by
16 that?

17 A. Have a good time. You know, like maybe
18 have sex, you know. Maybe have some weed, some
19 drugs. You know, whatever make you feel
20 comfortable.

21 You do good, you get reward good,
22 right?

23 Q. Were these girls underage girls or
24 of-age girls?

1 A. No. Just -- I'll say they were legal,
2 you know. No, no, no minors, no.

3 Q. And were these girls --

4 A. Excuse me. Let me -- let me just say
5 one thing, right.

6 If there would be one thing about
7 Latin King, they don't like prostitution, though.
8 Prostitution, that's a no-no. You can meet girls,
9 you know, just no money involved.

10 Q. So these were girls that you knew
11 from -- were they Latin Queens?

12 A. Some of them, they were, yeah. Some of
13 them, they were, yeah.

14 Q. But they weren't prostitutes?

15 A. No, they're not. They're not. No
16 prostitutes, no, no prostitutes.

17 BY MR. BRUEGGEN:

18 Q. Was Sanchez ultimately arrested by
19 Guevara?

20 A. Yes, he did.

21 Q. Do you know what the crime was that
22 Guevara alleged Sanchez had committed?

23 A. I believe it was attempt murder.

24 Q. Do you have any details about that

1 attempt murder?

2 A. No. I really -- I really -- you know,
3 I really don't want to talk about that, though.

4 Q. And what happened with that case
5 against Santiago?

6 A. The case, before it even went to trial,
7 they found Santiago dead.

8 Q. Where did they find Santiago dead?

9 A. In his car.

10 Q. Was it -- what -- where was the car
11 located?

12 A. In the neighborhood right on Crystal
13 and Kedzie.

14 Q. So over near the neighborhood near your
15 corner?

16 A. Yeah. It was in the neighborhood,
17 basically, yeah.

18 Q. And had -- how had Santiago died?

19 A. He shot himself.

20 Q. Had you ever talked to Santiago about
21 what was going on before that he shot himself?

22 A. I was that day -- the night that he
23 shot himself.

24 Q. I'm sorry. What did you say, sir?

1 A. I was with him the night -- the day
2 that he shot himself.

3 Q. Okay. You had been with him that day
4 and then he shot himself later that night?

5 A. Yeah. We was supposed to go to
6 theater. He was going to take his girlfriend. I
7 was going to take my girlfriend. And we were going
8 to have a good time and relax.

9 Q. Were you with him when he shot himself?

10 A. No. I was in the theater. He never --
11 hen ever made it to the theater, though.

12 Q. So you had been hanging out with him
13 earlier in the day?

14 A. Yeah. Earlier in the day we were
15 hanging out and -- and you got to remember, he
16 was -- he was kind of brokenhearted. He lost his
17 mom years earlier though, you know. And then he
18 got charged with what he got charged for. You
19 know, I mean, things got bad for him.

20 Q. And it sounds like he didn't reach out
21 to you for support or anything?

22 MS. BONJEAN: Objection to the form of that
23 question. I don't even know what that means.

1 BY MR. BRUEGGEN:

2 Q. If you understand, Mr. Maysonet.

3 A. What are you talking about?

4 Q. You know, you said that you had been
5 with him earlier that day and it sounded like
6 everything was fine, you had planned to go to the
7 theater that night, right?

8 MS. BONJEAN: Objection to the form and the
9 ridiculousness of that question. That's not --
10 that's not how suicide works.

11 But go ahead.

12 THE WITNESS: Macho, he -- he was always
13 depressed, though, you know. And he loved his mom.
14 He never had a chance to see his mom for the time
15 she was in the hospital dying. She had tumor,
16 cancer in the brain, and she got operated number of
17 time. And he never -- every time that he -- she
18 was in the hospital, he never want and saw her
19 because he know that he was not a good kid either,
20 though, you know, even though his mom love him more
21 than the other siblings, though, you know.
22 Because, again, you know, black sheep in the house
23 too, though, you know. She always wanted to make
24 sure he don't get himself in trouble, though, you

1 know. Little that he didn't know what we was
2 doing. He didn't want her to find out, though, you
3 know.

4 When she died, though, you know
5 that's when things really came back for him,
6 though, you know. Real bad. I mean, how many
7 times we have to, you know, spend the night with
8 him just because, you know, the pain that he was
9 going through, though, you know. It was amazing,
10 though, you know. Losing your mom, you know,
11 someone real close to you, though, you know. It
12 was bad.

13 BY MR. BRUEGGEN:

14 Q. Mr. Maysonet, do you recall a general
15 time or date when Santiago Sanchez committed
16 suicide?

17 A. When Macho committed suicide, it was
18 somewhere -- I know it was right after our
19 birthday. My birthday's in May 7th. I believe his
20 birthday, it was in -- I don't know if it was in
21 April or May, but I know we celebrate our birthday
22 ever since we met, you know.

23 And I remember that day. We -- I
24 was in my house with -- with the mother of my son.

1 And we had a bunch of girl too, though, you know,
2 because him being the playboy that he was, though,
3 you know. We was having a good time, though, you
4 know. My wife, she knew Macho too, you know, for a
5 long time, you know, and we tried to make his life
6 better, though, you know, tried to make things --
7 get things off his head, though, you know.

8 He did mention couple times that he
9 feel like, you know, killing hisself, though,
10 because he dream a lot about his mom. His mom
11 calling him in his dream.

12 But our responsibility was make sure
13 that he -- you know, that he don't do nothing
14 stupid, though, you know.

15 Q. After Macho committed suicide, did your
16 set help pay for the funeral and visitation and
17 things?

18 A. (Nodding.)

19 Q. Is that a yes, sir?

20 A. Yes.

21 Q. Do you recall when Macho's visitation
22 was?

23 A. It was -- I think it was the second
24 week of may. I think it was -- it was in May. I'm

1 going to say it was in May.

2 Q. Did you go to his visitation?

3 A. Yes. Yes, I did.

4 Q. And do you recall what the time of his
5 visitation was? Was it afternoon, evening,
6 morning?

7 A. Early in the morning, all day, until
8 they close the funeral. That's how we wanted it.

9 Q. Do you remember what time the
10 visitation closed?

11 MS. BONJEAN: Objection -- oh, sorry.

12 You can answer that if you know.

13 THE WITNESS: What time they close the
14 funeral? Probably like late at night, right?

15 MS. BONJEAN: Don't guess. If you know, then
16 you just give him an answer. If you don't know,
17 don't guess.

18 THE WITNESS: Late. They closed up late.

19 BY MR. BRUEGGEN:

20 Q. Were you there throughout the whole
21 visitation, the whole day from morning till they
22 closed?

23 A. Yeah. He was my friend. I'm not going
24 to let him down like that.

1 Q. Do you recall when the funeral was in
2 relation to the visitation? Was it the following
3 day, a couple days later?

4 A. Funeral was like couple days later, two
5 days later. Something like that.

6 Q. Did you go to the funeral?

7 A. Yes, I did.

8 Q. And then after the funeral, was he
9 buried in a cemetery?

10 A. Um-hmm, yeah.

11 Q. Is that a yes?

12 A. Yes.

13 Q. Did you go to the burial?

14 A. I did went to the burial, yes.

15 Q. After Santiago died, did somebody take
16 over as the chief of your set at Wabansia and
17 Kimball?

18 A. No. Not allowed to do that.

19 Q. Why aren't you allowed to do that?

20 A. You're not.

21 Q. Yeah. And I'm asking was there a rule
22 or something or how did it work?

23 A. Yes, it's a rule. If you don't qualify
24 for it, they're not going to put no one to hold

1 somebody, you know, corner, you know, without
2 knowing or having the knowledge of what you're
3 doing.

4 I don't really know who -- who the
5 next in line because I got arrested after that got,
6 got put away, and I lost contact with everybody
7 after, after that.

8 Q. And I think you were arrested in July
9 and I think you said Santiago's funeral was in May.

10 Do you know if anybody was in charge
11 of your set between May and July of 1990?

12 A. No. It was just -- it was just like a
13 snake, running around without no head.

14 Q. Did your set continue to sell drugs
15 at --

16 A. Yeah.

17 Q. Sorry.

18 A. Say that question again, though. I'm
19 sorry to interrupt you.

20 Q. Yeah.

21 Did your set continue to sell drugs
22 after Santiago passed away?

23 A. Yeah, we did. Yeah.

24 Q. So everything continued, but there

1 | wasn't -- you just didn't have your chief?

2 A. Didn't have no head. We didn't have no
3 direction.

4 MR. BRUEGGEN: Mr. Maysonet, I was hoping to
5 show you some photos now.

6 And Jennifer, did you guys get an
7 opportunity to print out those exhibits?

8 MS. BONJEAN: Some of -- some of them.

9 MR. BRUEGGEN: And I don't know if you have
10 the photos from Santiago's service. If you have
11 those available, I'm going to pull them up on the
12 screen.

13 MS. BONJEAN: You can pull them up on the
14 screen. Because my experience is is that we have
15 black and white and the -- you can see them better
16 in color. So if you pull them up on the screen,
17 it'll be better for -- at least for the
18 photographs. Everything else we have, but I
19 didn't -- we did this yesterday, and it's just
20 hard with the -- huh?

21 | (Interruption.)

22 MS. BONJEAN: So we -- I do have everything,
23 actually. I'm just saying we don't have the
24 photographs.

1 THE WITNESS: In color.

2 MS. BONJEAN: In -- yeah. I don't have the
3 photographs because they're --

4 MR. BRUEGGEN: All right.

5 MS. BONJEAN: Yeah.

6 And also, you just sent this stuff
7 to us this morning, but we -- we did get the
8 papers, for the most part. The photos we did not
9 print out in black and white. It's useless.

10 MR. BRUEGGEN: Not a problem. I was just --
11 I was going to put them on the screen anyway. I
12 just wanted to make sure whether he'd be looking at
13 the screen or he had copies.

14 BY MR. BRUEGGEN:

15 Q. So, Mr. Maysonet, I'm going to show you
16 some photos on the screen now.

17 A. Yes.

18 Q. Mr. Maysonet, can you see my screen?
19 Is it -- oh, nope. Here, let me try that.

20 MS. BONJEAN: Yeah, there we go.

21 BY MR. BRUEGGEN:

22 Q. Can you see it right now?

23 A. Um-hmm.

24 Q. Do you see the photo there, sir?

1 A. Yeah.

2 Q. And you can see -- written in red right
3 down here, you can see my cursor, it says
4 JGS_MAYSONET 002553. You see that, sir?

5 A. Yes.

6 Q. Okay. And we call these Bates stamped
7 numbers and we use them to identify pages so that
8 we know what we're talking about. Okay?

9 A. Okay. Yeah.

10 Q. And so I'm just going to go through the
11 pictures real quick so you can see them.

12 So this is the first page of Exhibit
13 Number 1, the second page, third page, fourth page,
14 fifth page, six page, seventh page.

15 A. Um-hmm.

16 Q. All right. Sir, did you have an
17 opportunity to look at all those pages?

18 A. Yeah.

19 Q. And those are photographs, right?

20 A. Yeah.

21 Q. And do you know --

22 A. That's a --

23 Q. I'm sorry?

24 A. That's a photograph from his burial.

1 Q. And do you know what burial this is?

2 A. Macho, Santiago Sanchez.

3 Q. And looking at this first page, which
4 is JGS_MAYSONET 2553, are you in that photograph,
5 sir?

6 A. Yes, I am. I'm right there.

7 Q. Which one are you, sir?

8 A. Right here.

9 Q. And I can't see where you're pointing
10 to. Can you --

11 MS. BONJEAN: Right there or behind there?

12 THE WITNESS: Behind there.

13 MS. BONJEAN: Okay. So I'm going to indicate
14 that if you look in the -- the right -- upper
15 corner of this photograph, there is a gentleman
16 that has a jacket sleeve that I think has some
17 writing on his left. Right? Do you see that?

18 MR. BRUEGGEN: Yes.

19 MS. BONJEAN: And then there's someone right
20 over his shoulder in what appears to be like a
21 white hoodie.

22 THE WITNESS: Um-hmm, hoodie.

23 MS. BONJEAN: Do you see that person?

24 MR. BRUEGGEN: I do.

1 MS. BONJEAN: And that's who he's identifying
2 as himself.

3 MR. BRUEGGEN: Oh, okay. So --

4 MS. ROSEN: Do you see the pointer on the --

5 MR. BRUEGGEN: Yeah. Is it this person?

6 MS. ROSEN: Is that him?

7 THE WITNESS: Yeah, that's me.

8 MS. ROSEN: Okay.

9 THE WITNESS: I had hair.

10 BY MR. BRUEGGEN:

11 Q. And can you identify who this gentleman
12 is that is standing right in front of you with the
13 blue and white jacket?

14 A. I cannot see that good.

15 MS. BONJEAN: He said he can't see it that
16 good. He can't see the face.

17 THE WITNESS: Yeah. I can't see the face
18 that good.

19 BY MR. BRUEGGEN:

20 Q. And I -- I can try to Zoom it, but I
21 don't know what that will do for the quality of the
22 picture.

23 I don't know if that helps at all,
24 Mr. Maysonet.

1 A. That look like Fro.

2 MS. BONJEAN: All right. Don't guess. If
3 you don't know --

4 THE WITNESS: No. No, I don't know.

5 BY MR. BRUEGGEN:

6 Q. Don't know. Okay.

7 How about the person to the left in
8 the photo that the cursor's over right now in the
9 all black shirt?

10 A. That's Efrain Cruz.

11 Q. Who's that, sir?

12 A. Efrain Cruz.

13 MS. BONJEAN: Efrain Cruz.

14 MR. BRUEGGEN: Efrain Cruz. Okay.

15 BY MR. BRUEGGEN:

16 Q. Okay. And how about the person to
17 Efrain Cruz's right or our left in this photo, this
18 gentleman that I have the cursor over who's also in
19 all black?

20 A. Yeah, no. I don't know him.

21 Q. What about the gentleman right here the
22 cursor's over in the red shirt with a -- looks like
23 a white coat over it?

24 A. No. I don't know him either.

1 Q. How about this gentleman here with the
2 black coat with the red lapels?

3 A. No. I know the guy next to him.

4 Q. This gentleman up here? The guy
5 standing up or the guy bent over?

6 Which one? The one bent over, this
7 one?

8 A. The one bent over, that's Macho's
9 brother.

10 Q. Macho's brother.

11 And what was Macho's brother's name?

12 A. I don't know -- I don't know his -- his
13 real name, though, but he had a -- he had a street
14 nickname, though. What was his name again? I
15 don't talk to him. It's been a while, long time
16 ago. But yeah, that was Macho's brother, though.

17 Q. Was Macho's brother involved in your
18 set?

19 A. No, no.

20 Q. Do you know was Macho's brother, was he
21 a King?

22 A. No, no.

23 Q. How about this gentleman who's standing
24 up with the -- the black coat with just a little

1 bit of red on it, do you know who that gentleman
2 is?

3 A. His name is -- his street name is Jojo.
4 I don't know his real name. He was just a big,
5 tall kid. He was a real cool guy.

6 Q. And do you recognize anyone else in the
7 photo?

8 A. That's Macho brother right there with
9 the shovel.

10 MS. BONJEAN: Oh, with the shovel.

11 THE WITNESS: Yeah.

12 BY MR. BRUEGGEN:

13 Q. Do you recognize anybody else in the
14 photo, sir?

15 A. No.

16 Q. And I know it's hard. It's -- they're
17 old photos and copies of originals.

18 How about the next photo, which is
19 page JGS_MAYSONET 2255, do you recognize anybody in
20 this photo?

21 A. That's Lluvia right here, the one who's
22 bending over right here.

23 Q. In the blue coat?

24 A. No.

1 MS. BONJEAN: No. In the left-hand corner,
2 you see the face of someone bending over.

3 BY MR. BRUEGGEN:

4 Q. This gentleman the cursor's over?

5 A. Yeah.

6 Q. Okay. That's Alfredo Gonzales?

7 A. Alfredo Gonzalez, yeah. He always wear
8 glasses, though.

9 Q. And do you know where this photo was
10 taken?

11 A. That was right where Macho committed
12 suicide.

13 Q. So this was the location where the body
14 was found in the car?

15 A. Yeah.

16 Q. And looks like there was a little
17 memorial that was done there?

18 A. Yeah. I believe that was the next day,
19 though, in -- in the -- probably in the evening
20 when we got together. We -- well, basically, we --
21 we ain't got together. We just happen to be -- we
22 going by just to show him -- to show a friend where
23 Macho, you know, committed suicide the night
24 before.

1 And when we went by, we saw the guys
2 like putting flowers and doing little prayers and
3 stuff, though, you know. And we decide to stop and
4 check who the guy is, though, you know. We didn't
5 want nobody to disrespect where he got killed, so
6 we know there were a bunch of Latin Kings from the
7 neighborhood that really we don't want to associate
8 with them, you know.

9 When I say "associate," we don't
10 really -- we don't really talk to them, you know.
11 I mean, we might say hi and good-bye. That's it,
12 though, you know.

13 Q. And, sir, is there anything else in
14 this photo that you can identify?

15 A. All I know is the building where --

16 Q. The people, do you know --

17 A. Yeah. This guy name is -- his name is
18 Papo.

19 MS. BONJEAN: So he's pointing to the guy
20 in -- to the right, looks to be like a black and
21 white -- or I'm sorry, black -- either black or --
22 yeah. That guy.

23 BY MR. BRUEGGEN:

24 Q. This guy with the -- the white pants.

1 A. Yeah.

2 Q. What was his name, sir?

3 A. Papo, P -- P-a-p-o, Papo.

4 Q. And do you recognize anybody else in
5 this photograph?

6 A. Not -- not really.

7 Q. What about this gentleman in the white
8 shirt and white hat?

9 A. No, I don't.

10 Q. Okay. And was Papo, we he part of your
11 set?

12 A. No, no. He was from another set from
13 far away from us, though, but he happened that
14 he -- he was living around the neighborhood,
15 though.

16 That's me right there.

17 MS. BONJEAN: Yeah.

18 MR. BRUEGGEN: And let me zoom out.

19 BY MR. BRUEGGEN:

20 Q. Mr. Maysonet, I'm showing you what's
21 the fifth page of Exhibit 1, that's Bate stamped
22 JGS_MAYSONET 2558. Can you identify what this is a
23 photo of?

24 A. This a photo of -- in the funeral with

1 Macho. I was just -- that's me right there, matter
2 of fact. I was just -- just bending over and, you
3 know, spending some time with him.

4 Q. And then, sir, looking at page 6 of
5 **Exhibit 1**, it appears to be a text message chain or
6 part of a text message chain.

7 Do you know -- is this your writing?
8 Freddy is standing next to the guy with the black
9 and blue jacket. Did you write that, sir?

10 A. What you talking about, this right
11 here?

12 Q. The actual writing right here.

13 MS. BONJEAN: Okay. First of all, show him
14 the phone number and ask him if that's his phone
15 number.

16 BY MR. BRUEGGEN:

17 Q. Sir, do you know the
18 number 773.663.5391?

19 A. Yeah. That's my phone number.

20 Q. So are these text messages that were
21 sent to you?

22 A. No. That's just -- just those text
23 message there, they're mine.

24 Q. Okay. So these are text messages you

1 sent.

2 So did you write, Freddy is standing
3 next to the guy with the black and blue jacket?

4 A. Yeah.

5 Q. And who is Freddy?

6 A. Freddy, that's Alfredo Gonzalez.

7 Q. And so looking at this picture, I'm
8 going to go back. There's a better picture,
9 bigger.

10 You see this, the same picture from
11 the text message?

12 A. Um-hmm.

13 Q. And so is Freddy, this gentleman that's
14 in the black, next to the person in the blue Adidas
15 jacket?

16 A. No. Freddy's all the way in -- all the
17 way in the back. Right there.

18 Q. In the back up over here?

19 A. Right there, yeah, right there.

20 Q. Okay. With --

21 A. Right there. That's the one.

22 Q. Okay. With the sunglasses and it looks
23 like he's wearing a blue colored shirt or jacket of
24 sorts?

1 A. Jacket. That's Freddy.

2 MR. BRUEGGEN: All right. Back to looking at
3 me. Sorry.

4 Do you need a break now or you want
5 to keep moving? It's up to you, sir.

6 MS. BONJEAN: It's up to you. You want to
7 take little break?

8 THE WITNESS: Yeah. We take a little break
9 now.

10 MR. BRUEGGEN: All right. Why don't we take
11 like five. Do you want -- do you want to go have
12 another cigarette? 10 minutes. I don't --
13 whatever you want to do, sir.

14 MS. BONJEAN: You want to go take another
15 cigarette? Oh, you want to eat something?

16 THE WITNESS: Yeah. I want to eat. I'm
17 going to eat -- I'm going eat real quick, real
18 quick, come back. We'll get going on it.

19 MS. BONJEAN: Give us -- give us 10 minutes.

20 MR. BRUEGGEN: Do you want just 10 minutes or
21 do you want to do 15? We can do 2:00.

22 MS. BONJEAN: Yeah.

23 MR. BRUEGGEN: Okay. That way he can grab
24 something to eat and have a cigarette, and -- you

1 know.

2 All right. Thank you very much.

3 We'll see you shortly.

4 THE VIDEOGRAPHER: We are off the video
5 record at 1:45 at the end of Media Unit 3.

6 (Recess taken.)

7 THE VIDEOGRAPHER: We are back on the video
8 record at 2:09 at the beginning of Media
9 Unit 4.

10 BY MR. BRUEGGEN:

11 Q. Mr. Maysonet, when we left off we had
12 been talking about some photos.

13 Do you remember that?

14 A. Yes.

15 Q. Of the funeral, funeral of Santiago
16 Sanchez?

17 A. Yes.

18 Q. Was Rosa Bella in any of those photos?

19 A. Well, he was there, but I don't -- I
20 don't recall if she was in one of those picture,
21 though.

22 Q. But she was present at the funeral?

23 A. Yes.

24 Q. And earlier you had talked about Joe

1 Miedzianowski.

2 Do you remember talking about him?

3 A. Yes.

4 Q. Did you ever give Joe Miedzianowski any
5 money?

6 A. No.

7 Q. Are you aware of Joe Miedzianowski --

8 A. Excuse me.

9 Q. Bless you, sir.

10 A. Thank you.

11 Q. Are you aware of Joe Miedzianowski
12 having any ties to any other gangs?

13 A. Not in my -- not in my knowledge.

14 Q. If Joe Miedzianowski was doing business
15 or had a relationship with a gang that was a member
16 of Folk Nation, would that have caused you concern?

17 MS. BONJEAN: The Folk Nation?

18 MR. BRUEGGEN: Folk Nation.

19 THE WITNESS: Folk. We really don't care
20 who -- who made business with. We just care about
21 our own interest, though. Miedzianowski never
22 made -- well, I never give him no money. Whether
23 he was involved with other people, like you said,
24 Folks, I really don't know.

1 BY MR. BRUEGGEN:

2 Q. Other than what you told us about
3 Miedzianowski just being present, do you have any
4 other information about Officer Miedzianowski?

5 A. He was always present. That's the only
6 thing I can say. Never talked to the guy.

7 Q. When did you start dating Rosa Bella?

8 A. I was young. I was real young.

9 Q. And when you say "young," was this
10 after you had dated the woman you told us about
11 earlier that's nickname was Crazy?

12 A. Yeah. As a matter of fact, I met Rosa
13 Bella through her. She was her friend.

14 Q. And Rosa Bella is the woman you
15 referred to throughout this deposition as the
16 mother of your children?

17 A. Yeah. The mother of my son. You say
18 children like if I had more than one.

19 Q. I'm sorry. I misspoke. You're
20 correct. I think you said mother of my child.

21 A. Yeah, mother of my son. I only got
22 one, that I know.

23 Q. When you started dating Rosa Bella, did
24 she have any children?

1 A. Yes. She did.

2 Q. How many children -- I'm sorry?

3 A. Two girls, two girls.

4 Q. And how old were those girls when you
5 started dating her; do you remember?

6 A. They were babies. They were very,
7 very, very -- I mean, the little one, she was still
8 in Pamper.

9 Q. At some point prior to your arrest, did
10 you live with Rosa Bella in the same residence?

11 A. Say that again.

12 Q. Before your arrest that we're going to
13 talk about today, did you live with Rosa Bella in
14 the same house?

15 A. Yeah, yeah.

16 Q. And where did you first live with Rosa
17 Bella?

18 A. On Kedzie and North Avenue.

19 Q. Was that in your mother's --

20 A. No. It was in the same -- in the
21 same -- you know, I'll say it was a big-ass tall
22 building, probably like 40-apartment-unit building.
23 So I was living all the way in the back with her
24 when I met her.

1 Q. And did your mother live in a different
2 apartment in the same building?

3 A. In the same building, yes.

4 Q. Did Rosa Bella's daughters live with
5 you in that apartment at Kedzie and North?

6 A. Yeah, yeah.

7 Q. Did Rosa Bella have a job?

8 A. No.

9 Q. Did Rosa Bella speak Spanish?

10 A. She speak just a little bit, not much,
11 but yeah, she did speak a little bit Spanish.

12 Q. Did she primarily communicate in
13 English?

14 A. Well, we always communicate in Spanish,
15 you know. She -- I understand what she always
16 said, even though Spanish was a little messed up,
17 though, but yeah, she -- it was understandable.

18 Q. How long did you -- strike that.

19 How long were you in a relationship
20 with Rosa Bella?

21 A. Probably -- probably six year, till I
22 got put away in jail.

23 Q. And during that time, her primary
24 language was English?

1 A. Well, he speak Spanish. We would speak
2 in Spanish to me, though. She speak English to the
3 girls, though.

4 Q. Did her daughters speak any Spanish?

5 A. Her older one, she knew how to speak
6 Spanish, though.

7 Q. And during that six year relationship,
8 how did you and Rosa communicate?

9 A. In Spanish.

10 Q. So Rosa spoke Spanish enough to be able
11 to communicate?

12 A. We always speak Spanish.

13 Q. During your relationship with Rosa
14 Bella, did she use any drugs?

15 A. Not really. Maybe smoke weed with me,
16 though, you know. That's about it, though, for now
17 other than -- you know.

18 Q. Mr. Maysonet, prior to your arrest
19 that -- the arrest that we're going to talk about
20 in this case, had you been arrested by the police?

21 A. Before?

22 Q. Yes.

23 A. Just for minor stuff, like, you know,
24 be in the corner, you know, disorderly conduct and

1 stuff like that, though, you know. I mean, no --
2 nothing -- nothing, you know, major, though. Petty
3 stuff.

4 Q. Were you convicted of anything prior
5 to --

6 A. No.

7 Q. -- this case?

8 A. Never.

9 Q. Did you get convicted of possession of
10 a controlled substance?

11 A. For a bag or two. I mean, misdemeanor
12 stuff, yeah, you know, I mean, but not nothing, you
13 know, big, though.

14 Q. When did you first learn that two
15 African-Americans had been shot on North Avenue
16 just west of Kimball on May 25th of 1990?

17 A. I remember when walking to -- to the
18 restaurant, everybody in the neighborhood, they
19 were actually talking about it, though, you know,
20 what happened, you know. They never said about two
21 Black African-American. Only thing they were --
22 the rumor was that there was two guys that got
23 killed somewhere in the vicinity of North Avenue
24 and Kimball.

1 Q. Where did you hear that rumor?

2 A. When I went -- when I went to the
3 restaurant to eat, to buy some breakfast and stuff
4 early that morning.

5 Q. And your territory was just northwest
6 of there on Wabansia and Kimball?

7 A. On Wabansia and Kimball, yeah.

8 Q. So was the area of that shooting, which
9 was between Kimball and North St. Louis on North
10 Avenue, was that part of your territory?

11 A. Our territory start right on St. Louis
12 and Wabansia, all the way to -- all the way to
13 North Avenue, North Avenue all the way to Kedzie
14 and Kedzie all the way to Wabansia. That was
15 our -- our -- basically our set, though.

16 Q. And other than what you just told me
17 about you heard two guys were killed by North
18 Avenue, did any of the eyes and ears you had on the
19 street give any other information about that crime?

20 A. No, not really.

21 Q. You ever hear anything about why the
22 two gentlemen were out there at North Avenue when
23 they were shot?

24 A. No. We really -- it was not -- it

1 really was not a concern anyway. We really
2 didn't -- we really didn't care, though, you know.
3 Crime happen everywhere. It's just that our - our
4 rule from -- from Kings is not to commit crime in
5 the neighborhood, not to make no -- that's --
6 people think the opposite thing, though, you know.
7 It not -- it not a way people think, though, you
8 know.

9 Q. And can you explain what you just said,
10 people think the opposite? I didn't quite
11 understand, sir.

12 A. You know, if any crime happen, you
13 know, in -- they say like in a neighborhood, you
14 know, the first thing people want to know, you
15 know, who did it, right? In our neighborhood,
16 though, you know, everybody always talk about
17 thing, though, but people know that we not -- we
18 were not like that, though.

19 We -- we -- we can commit crime like
20 that in the neighborhood, though, you know.
21 Sometime if the opposite gang come in the
22 neighborhood, yeah, we might get shot, we might get
23 killed, though, you know. Other than that, though,
24 all committed crime like that in the neighborhood,

1 no, you can't. You can't even rob, do stealing and
2 stuff like that in the neighborhood, though, you
3 know.

4 We never had no knowledge of what
5 happened that day.

6 Q. Do you recall being picked up by
7 detectives on July 15th, 1990, to assist in a case?

8 A. I got arrested I believe in July 15 for
9 the attempt murder.

10 Q. And do you recall who arrested you?

11 A. The detective name, it was Paulnitsky.

12 MS. BONJEAN: And, Dave, I'm going to place
13 on the record that in connection with that
14 incident, since there is a pending post-conviction
15 petition that is likely to result in a retrial, at
16 this juncture, as to the substance of that event,
17 Mr. Maysonet's going to be invoking his Fifth
18 Amendment right as to the substance of that
19 incident at the present time.

20 We certainly will produce him at a
21 later time if you want to ask him questions about
22 it, but at this time, we're going to be invoking
23 his Fifth as to anything that occurred on -- may or
24 may not have occurred on July 3rd, I think is the

1 date of that incident.

2 You can ask him about, you know,
3 the -- obviously, he was arrested, brought here,
4 brought there, but I'm just giving you a head's up.
5 But we can take it question by question.

6 MR. BRUEGGEN: I was going --

7 MS. ROSEN: Can I just --

8 MR. BRUEGGEN: Go ahead, Eileen.

9 MS. ROSEN: Just can I get a clarification on
10 what's the basis? What -- just I missed what you
11 said in the beginning.

12 MS. BONJEAN: He has a pending post-
13 conviction petition in that matter that is likely
14 to result in vacating the conviction in that case
15 and retrial. I mean, he's likely to face trial on
16 that case again.

17 MS. ROSEN: Okay.

18 BY MR. BRUEGGEN:

19 Q. So, Mr. Maysonet, with what your
20 attorney just said, I just ask that you pause after
21 my questions to allow your attorney to object, if
22 she wants. Okay?

23 A. All right.

24 Q. So you told me you were arrested by

1 Detective Paulnitsky, right?

2 A. That's correct.

3 Q. Do you remember was there any other
4 detective with Paulnitsky when you were arrested?

5 A. Yeah, there was, there was. Actually,
6 there were probably about like three, four other
7 car with detective, though, you know. Number of
8 detective, I know there were quite a few, though,
9 but I cannot tell you exactly right from my back
10 how many detective it was, though.

11 Q. No problem.

12 Do you recall anybody's name other
13 than Paulnitsky?

14 A. No. Paulnitsky.

15 Q. And what happened after they picked you
16 up? Where did you go?

17 A. Went to the police station for a
18 lineup.

19 Q. And after -- strike that.

20 Regarding Detective Paulnitsky, had
21 you ever seen him before?

22 A. Not -- no, not really, though, not
23 really.

24 Q. What did the detectives tell you when

1 they picked you up to take you to Area 5?

2 A. Basically, I was just coming out of the
3 store with a -- with a box of beer, and I know
4 there was -- the detective, they were -- they saw
5 me going in. And I guess they were looking for
6 someone with the name of King Leo. That's what
7 they were looking for, someone who happened to call
8 King Leo.

9 I had a sweater with a big-ass lion
10 and a big-ass crown and bottom said Leo. And that
11 basically how they created the name King Leo.
12 When -- when Paulnitsky came, he got out of the
13 car, was just walking, and he called me. He said,
14 Can you come over her?

15 I don't understand English, though,
16 you know. I just kept walking like, you know, none
17 of my business, though, you know. So I kept
18 walking, going home.

19 And all sudden I saw -- not saw. I
20 felt somebody kick -- kicking me in the back and
21 throwing me in the floor, thinking that I had a gun
22 on me. So when I got turned around in the floor
23 after they caught me and stuff, I had a few weapon,
24 you know, drawn in my face, though, telling me,

1 Where the gun, where the gun? So I'm like, What
2 gun, you know? I mean ...

3 There's some guy that was talking in
4 Spanish, though, you know, Danos la pistola, danos
5 la pistola, esta la pistola. You know, I'm like,
6 man, I don't -- I really don't know what I'm --
7 what you guys talking about. So confused, though,
8 you know. They -- probably I don't know nothing.

9 Q. So you were leaving the store with --
10 you said some beer, and someone kicked you in the
11 back?

12 A. Yeah. Well, someone called me, but I
13 kept walking, you know. And few second later, I
14 just -- somebody kick me in the back and put be
15 down on the ground and they handcuff me in the
16 back. And when they turn me around, I had guns in
17 my face. They were thinking that I had a gun
18 because they keep looking and because, obviously, I
19 understood what they were saying to me, somebody in
20 Spanish come and say: We looking for the weapon.
21 Where's the weapon? We don't -- you don't want to
22 get shot, in Spanish. And I'm -- I don't even
23 know. I didn't even say nothing. I was just --
24 just letting myself do whatever they want to do,

1 though, you know.

2 Q. After you were handcuffed, were you put
3 into a car and taken to Area 5?

4 A. Yeah.

5 Q. And when you got to Area 5, where were
6 you placed?

7 A. In the room. I was placed in the -- in
8 the -- what, interview room, that's they call it?

9 MR. GREENBERG: Interrogation.

10 THE WITNESS: Interrogation room, yeah.

11 BY MR. BRUEGGEN:

12 Q. And did you speak to anybody in that
13 interview room when you initially got there?

14 A. No. I didn't -- I didn't speak -- I
15 didn't speak to nobody until somebody speaking
16 Spanish came to me, and I asked for my lawyer.

17 Q. Do you recall standing in a lineup at
18 Area 5?

19 A. Not -- not the minute I got there. I
20 think we probably waited like -- I don't know, like
21 probably -- we waited for a while. And then I got
22 placed in the lineup with three other guys, though.

23 Q. And did you understand why you were put
24 in a lineup?

1 A. No. It was first for me.

2 Q. I'm sorry. What did you say?

3 A. First time for me.

4 Q. First time you were in a lineup?

5 A. Yeah.

6 Q. You said you were in a lineup with
7 three other men?

8 A. Three other guys, yeah.

9 Q. After the lineup, were you returned to
10 that interview room?

11 A. After the -- after the -- the lineup,
12 they placed me another room, yeah.

13 Q. Did you speak to any police or
14 detectives when you were in that other room after
15 the lineup?

16 A. Some officer came to me -- I said I
17 don't speak no English. Somebody came to me
18 letting me know the reason why I was there for.

19 Q. And what were you told the reason you
20 were there?

21 A. Well, they told me I was there because
22 three guys got shot somewhere around the
23 neighborhood of Wabansia and Keystone, and they
24 want to know if you had anything to do with it.

1 Q. Did they ask where you were on July 3rd
2 of 1990?

3 A. They did. They did ask me.

4 Q. And did you tell them where you were on
5 July 3rd of 1990?

6 A. At that time I was at home with Rosa
7 Bella.

8 Q. And do you know what time the shooting
9 was on July 3rd, 1990?

10 A. I really don't know.

11 Q. Do you know were you with -- strike
12 that.

13 Were you with Rosa Bella the whole
14 day on July 3rd, 1990?

15 MS. BONJEAN: I'm just going to ask -- at
16 this point I -- I'm going to invoke his -- he's
17 going to invoke his Fifth Amendment right as to
18 anything about July 3rd. Okay?

19 BY MR. BRUEGGEN:

20 Q. Mr. Maysonet, are you going to follow
21 your attorney's advice and invoke -- for any
22 questions about July 3rd of 1990, invoke your right
23 to remain silent?

24 A. Sure. You might found out some of

1 the -- some stuff about that some other day after
2 we done with this case, if you want to know.

3 Q. And again, sir, I'm just making sure
4 that I understand I should not ask you any
5 questions about July 3rd, 1990, because you're
6 going to invoke your right to remain silent and
7 anything you say could incriminate you; is that
8 correct?

9 A. The case still pending, right? So best
10 to stop right there, though.

11 Q. Yes. But, again, I want to make sure
12 that you are invoking --

13 MS. BONJEAN: He's -- yes.

14 THE WITNESS: I understand. I understand
15 what -- what you're saying, though. Yes, I do.

16 MS. ROSEN: Dave, you need a clean answer to
17 that.

18 MR. BRUEGGEN: Yes.

19 MR. GREENBERG: Can we go off the record for
20 a second?

21 MS. BONJEAN: Hold on one second. Hold on
22 one second. I'm going to consult with my client
23 and ask -- advise him to answer your question.
24 Hold on.

1 MR. BRUEGGEN: Okay.

2 THE VIDEOGRAPHER: Do we need to go
3 completely off or just wait a second?

4 MS. BONJEAN: No, no, no. It's going to take
5 45 seconds, not even.

6 THE VIDEOGRAPHER: Okay. No problem.

7 (Brief pause.)

8 MS. BONJEAN: Okay. Go ahead.

9 BY MR. BRUEGGEN:

10 Q. Mr. Maysonet, did you participate in a
11 drive-by shooting on July 3rd, 1990?

12 MS. BONJEAN: On the advice of counsel --

13 THE WITNESS: On the -- under my -- advice of
14 my counsel, I will plead the Fifth on that.

15 MR. BRUEGGEN: And, Jennifer, I'm going to
16 continue to ask questions and, you know, advise him
17 as you need. I just want to ask what I can and get
18 what I can now. Okay?

19 MS. BONJEAN: Okay. I -- that's fine, but I
20 am -- I am indicating for the record that he has a
21 pending case and he is going to invoke his Fifth
22 Amendment right as to those matters on advice of
23 counsel, but he will be happy to answer those
24 questions at a later date. Okay?

1 MR. BRUEGGEN: No, I understand that. I
2 just, you know, if I ask questions about various
3 gangs and stuff that impact upon that, you know,
4 it's one of those where he may want to object or
5 not.

6 MS. BONJEAN: He has been answering questions
7 with as much detail as any of you have ever gotten
8 from anybody. So ask your questions, but we're
9 not -- we're not -- July 3rd has nothing to do with
10 this. And he has a pending case.

11 MS. ROSEN: Dave, can we go off the record
12 for a second?

13 MR. BRUEGGEN: Let's go off the record.

14 THE VIDEOGRAPHER: We're off the video record
15 at 2:31.

16 | (Recess taken.)

17 THE VIDEOGRAPHER: We are back on the video
18 record at 2:34.

19 BY MR. BRUEGGEN:

20 Q. Mr. Maysonet, you invoked your right
21 under the Fifth Amendment because a truthful answer
22 would incriminate you?

23 A. On the advice of my counsel I invoke my
24 Fifth Amendment right at this time.

1 Q. Yes.

2 And the reason you're invoking your
3 right is because answering truthfully would
4 incriminate you in a crime?

5 A. On -- under the advice --

6 MR. BRUEGGEN: Hold on, hold on, hold on.

7 Jennifer, are you whispering things
8 to him?

9 MS. BONJEAN: No. I have written out how
10 he's going to invoke his Fifth Amendment right.
11 Would you like to see it? He's going to say this
12 every time you ask that question. So get used to
13 it.

14 MR. BRUEGGEN: That's fine.

15 MR. GREENBERG: Dave, you can't -- you can't
16 get into -- like you're asking stuff, first of all,
17 that's privileged also. You're asking him the
18 reasoning behind it and that's privileged. That
19 goes to -- to our discussions with him. So he's
20 saying, On the advice of counsel, I'm invoking.
21 You can't ask him, Why did you make that decision?
22 Get a judge to say you can, but I -- he's not going
23 to answer that.

24 MR. BRUEGGEN: Steve, I just -- I think I can

1 ask that and he doesn't have to tell me anything he
2 talked to his attorneys about. I think that's
3 fair.

4 MS. BONJEAN: Keep asking your questions
5 and -- and we'll just keep going.

6 BY MR. BRUEGGEN:

7 Q. Mr. Maysonet, when you were arrested on
8 July 15th of 1990, did you understand that you
9 were being questioned in relation to a shooting,
10 drive-by shooting that occurred against some YLOD
11 gang members?

12 MS. BONJEAN: Invoke.

13 THE WITNESS: On the -- on the advice of my
14 counsel, I invoke my Fifth Amendment right at this
15 time.

16 BY MR. BRUEGGEN:

17 Q. Do you know what gang the YLOD is?

18 MS. BONJEAN: Do you know that?

19 THE WITNESS: No.

20 Under the advice of my counsel, I
21 invoke my Fifth Amendment right at this time.

22 BY MR. BRUEGGEN:

23 Q. Were the Latin Kings at war with any
24 YLO Disciple gang in 1990?

1 MS. BONJEAN: In the -- in 1990?

2 MR. BRUEGGEN: Yes. That was the question.

3 THE WITNESS: Under the advice of my counsel,
4 I invoke my Fifth Amendment at this time.

5 BY MR. BRUEGGEN:

6 Q. We talked about you were involved in a
7 lineup earlier, sir?

8 A. Yes.

9 Q. And then after that, you spoke to some
10 detectives, right?

11 A. It was an officer, Spanish-speaking
12 officer.

13 Q. Was there also a detective in the room?

14 A. Yeah, it was.

15 Q. And do you know who that detective was?

16 A. Paulnitsky.

17 Q. And what did Detective Paulnitsky ask
18 you through the Spanish interpreter?

19 A. He was just letting me know the reason
20 why I was there for. That's all.

21 Q. What did he say -- I'm sorry. Go
22 ahead.

23 A. And my name too.

24 Q. And what did the detective tell you as

1 to why you were there?

2 A. They were going to ask me questions.

3 They were waiting for somebody. I really don't
4 know how long I waited, though, but I know they --
5 they just waited for somebody to come to the police
6 station, though, you know, to talk to me.

7 Q. And at some point, did they ask you
8 questions?

9 A. No. Just --

10 Q. They never asked you any questions
11 about the shooting?

12 A. They told me what -- what I was -- the
13 reason why I was there for at -- at that moment,
14 you know. They never asked me nothing about the
15 shooting, no murder, nothing.

16 Q. Who were the detectives that you
17 interacted with? Can you tell me all the people
18 you knew who you interacted with on July 15th
19 regarding the shooting that you were brought in
20 for?

21 MS. BONJEAN: Okay. I'm going to object to
22 the foundation of that question.

23 But you can answer that question.
24 If you want him to repeat it, ask him to repeat it.

1 THE WITNESS: Yeah. Repeat the question
2 again.

3 BY MR. BRUEGGEN:

4 Q. And what I'm getting at, sir, is you've
5 identified that Detective Paulnitsky was there
6 asking you questions through a Spanish interpreter.
7 I am wondering if you know the names of any of the
8 other detectives that were there asking you about
9 this shooting that happened on July 3rd.

10 A. No. I didn't -- I didn't know nobody's
11 name.

12 Q. While you were at the police station,
13 do you recall speaking to an assistant state's
14 attorney regarding a July 3rd shooting?

15 A. An assistant state attorney? Someone
16 came in the room who happened to work with the --
17 with the state, but I -- I didn't understand what
18 she was saying anyway, so she left.

19 Q. So a woman, you say, came in the room?

20 A. Some woman, yeah.

21 Q. Was she -- do you know was she a police
22 officer, was she an attorney? Do you know what her
23 role was?

24 A. According to the -- to the interpreter,

1 she was -- she was a DA, a district attorney.

2 Q. Do you recall what her name was?

3 A. Her name, it start with a B. I know it
4 was a female, but I don't -- I really don't know
5 the name.

6 Q. Who was present with that female? Was
7 Detective Paulnitsky still there?

8 A. She -- when she came in, she came in
9 with -- with a Spanish-speaking officer.
10 Paulnitsky was there too. They were just want to
11 hear what she had to say, I guess.

12 Q. And this was on July 15th of 1990?

13 A. That was the day that I got -- that I
14 got arrested for the -- for the attempt murder.

15 Q. Did you speak to anybody else who was
16 from the DA's office or the state's attorney's
17 office?

18 A. No, not at all.

19 Q. Earlier when you said you were
20 arrested, you said you were kicked in the back,
21 right?

22 A. Yes.

23 Q. Do you know who kicked you in the back?

24 A. No. I really -- I really didn't saw

1 who. You know, they kicked me from behind. So by
2 the time I turn around, there was a bunch of guns
3 drawn in my face.

4 Q. And while you were in the interview
5 room on July 15th, 1990, did any police officer lay
6 hands on you?

7 A. No, no. They didn't -- they didn't lay
8 their hands on me that day.

9 Q. They just asked you questions?

10 A. They did ask me questions, yeah.

11 Q. Were you charged with the attempted
12 murder on that day?

13 A. Yes, I did.

14 Q. Were you taken down to the lockup at
15 Area 5?

16 A. Yes.

17 Q. And then subsequently sent to Cook
18 County Jail?

19 A. Yes.

20 Q. Did you retain an attorney regarding
21 those charges?

22 A. I hired attorney.

23 Q. Who was that?

24 A. Martin Abraham. I think I said it

1 right. Martin Abraham.

2 Q. And how did you know Mr. Abraham?

3 A. Oh, he was basically the lawyer of --
4 of some of the guys, you know, from the
5 neighborhood. Other -- I met him through other
6 people. I met him through other people.

7 Q. When did you first contact Mr. Abraham
8 after July 15th, 1990?

9 A. Actually, my family contacted him as
10 soon as I got arrested.

11 Q. How long were you in Cook County Jail
12 after you were transferred there on July 15th,
13 1990?

14 A. 30 days.

15 Q. Were you able to bond out?

16 A. Yes. I did bond out.

17 Q. Prior to being transferred, when you
18 were in the interview room prior to being
19 transferred down to lockup, did you speak to a
20 Sergeant Mingey and a Detective Montilla?

21 A. Montilla, yes.

22 Q. Montilla?

23 A. Frank Montilla, yes.

24 Q. Was this after you had talked to

1 Paulnitsky and the female attorney?

2 A. Yeah.

3 Q. What did you talk to Mingey and
4 Montilla about?

5 A. They -- the same day that I got
6 arrested.

7 Q. Not when. What did they -- did they
8 ask you questions?

9 A. They did ask me questions.

10 Q. And what did they ask you?

11 A. Where was I on July 3rd, 1990.

12 Q. So Mingey and Montilla were asking you
13 questions about July 3rd of 1990?

14 A. Well, they were -- first they were
15 question me about the attempt murder, and then they
16 changed the focus of -- of double murder.

17 Q. And was that the double murder that we
18 talked about earlier that happened on North Avenue?

19 A. Yeah.

20 MS. BONJEAN: Hold on one second. There's
21 someone that entered the room for a second. Just
22 hold on a second. Okay? I think she's ...

23 MR. BRUEGGEN: Entered your room or --

24 MS. BONJEAN: Yeah. The housekeeper just

1 came in. Hold on a second.

2 MR. BRUEGGEN: You're like looking around.
3 You're scaring me.

4 MS. BONJEAN: Hold on. I just figure it's
5 distracting, so hold on.

6 MR. BRUEGGEN: Do you want to go off the
7 record until she's done or --

8 MS. BONJEAN: No. I think she's just --
9 we're -- Ashley, can you please -- it's
10 distracting. Ask her to leave.

11 Okay. Yeah, that's -- that's fine.
12 You can go now. It's just -- she dropped off some
13 towels. Go ahead.

14 BY MR. BRUEGGEN:

15 Q. Mr. Maysonet, so Mingey and Montilla
16 were asking you about the double murder we talked
17 about earlier that happened on North Avenue?

18 A. Yeah.

19 Q. And what did they ask you?

20 A. They want to know my wheres about
21 that -- that day that the crime happened and what I
22 was doing and stuff like that, though.

23 Q. And did you tell them where you were
24 when that crime happened?

1 A. I was in my house.

2 Q. And do you remember how you could
3 recall where you were when that crime happened in
4 May and we're talking about July?

5 A. Double -- double murder?

6 Q. Yeah, the double murder.

7 A. Yeah. I -- I was in my house. I don't
8 -- I don't -- I don't -- Rosa Bella have two girls.
9 They need to take care of her, and she -- older
10 one, she -- she's epileptic, though, you know, and
11 sometimes she get those seizures attack and we need
12 -- we need to take them to the hospital, though.

13 Q. So Rosa Bella was an epileptic?

14 A. No. Her daughter, her oldest.

15 Q. And so do you have a recollection then
16 of -- on the earlier morning hours of May 25th,
17 1990 being at home?

18 A. Yeah, I was at home. Yes, I was.

19 Q. And did you tell police that?

20 A. I did tell them that.

21 Q. Did they ask anything else?

22 A. All they want -- they wanted to know
23 if -- you know, if I got lawyers, if -- you know,
24 stuff like that, though, you know. Who were I

1 living with, though. You know, just basic
2 questions and stuff, though.

3 I told them I got a lawyer. I told
4 them, you know, I don't know why, you know, they
5 wanted to talk to me about that, though, you know,
6 when -- when I didn't have nothing to do with
7 nothing, you know.

8 So again, they just brought -- they
9 saying that the -- the other case, the weapon is
10 supposed to have something to do with this case.
11 Whether it true or not, I don't know. I just --
12 like I said, I didn't -- I didn't have no -- I
13 didn't have much to say to them only other than I
14 wanted my lawyer present. I was getting scared,
15 though, you know, and -- and disoriented, you know.
16 I never -- I never been through stuff like that in
17 my life before, though.

18 Q. And, sir, switching back to your time
19 at Cook County Jail after you were arrested on the
20 attempt murder on July 15th, were you visited by
21 any of your fellow Latin Kings while you were in
22 jail?

23 A. No.

24 Q. Did you plead guilty to the attempt

1 murder case?

2 MS. BONJEAN: You can answer that --

3 THE WITNESS: Yeah.

4 MS. BONJEAN: -- that question.

5 THE WITNESS: Yeah.

6 BY MR. BRUEGGEN:

7 Q. You were sentenced to 15 years in the
8 IDOC based on that plea of guilty to the attempt
9 murder?

10 A. Yeah.

11 Q. Did you commit that murder?

12 A. Under my -- advice --

13 MS. BONJEAN: Wait. Hold on. The murder?

14 MR. BRUEGGEN: I'm sorry.

15 BY MR. BRUEGGEN:

16 Q. Did you -- strike that. Let me
17 rephrase it.

18 Did you commit that attempt --

19 (Crosstalk.)

20 MS. BONJEAN: -- questions about the double
21 murder, but because the -- the attempt murder is
22 pending, he -- he is not going to at my advice. So
23 if you want to ask about the attempt, I got to be
24 clear on what you're asking about.

1 MR. BRUEGGEN: And, Jennifer, I think I
2 misspoke. That's why I was going to strike that,
3 withdraw the question and I'll rephrase.

4 MS. BONJEAN: Okay.

5 BY MR. BRUEGGEN:

6 Q. We were just talking about your
7 pleading to the attempt murder, right, sir?

8 A. Yes.

9 Q. Did you commit the attempt murder on
10 July 3rd of 1990?

11 A. Under the advice of my counsel, I
12 invoke my Fifth right at this time.

13 MS. BONJEAN: But we will be happy to produce
14 him at a later date to answer questions about that.

15 MS. ROSEN: And -- and when do you propose
16 that's going to be?

17 MS. BONJEAN: Well, we have a hearing in his
18 case that was supposed to be set, but thanks to the
19 state continually delaying it, we haven't been able
20 to have that hearing. But it's supposed to be set
21 in front of Judge Reddick. And I suspect we will
22 be able to do that in very short course.

23 MS. ROSEN: So once -- I'm not -- I guess I
24 should be clearer. Do you mean you're going to

1 wait until the case -- the conviction gets
2 overturned, as you suspect, and then you're going
3 to bring him back or are you going to wait until
4 the entire proceeding gets resolved?

5 MS. BONJEAN: We're going to wait until the
6 case is overturned and then we're going to demand
7 trial, and I suspect the state will have to bring
8 him to trial pretty quickly.

9 And we have plenty of Monell
10 discovery to do, as you said, what, you -- you
11 predicted like two years, Eileen.

12 MS. ROSEN: Jennifer, I'm not trying to get
13 sarcastic with you here. I am just trying to get
14 an understanding of what your plan is.

15 MS. BONJEAN: When -- when the state says,
16 Motion to stay, nolle pros, we'll produce him.
17 We'll produce him that afternoon if you'd like.

18 MS. ROSEN: Thanks. It wasn't really
19 supposed to be a trick question or to get a debate
20 about. It was simply an idea of what your plan
21 was. Thank you.

22 MS. BONJEAN: You're welcome.

23 BY MR. BRUEGGEN:

24 Q. Mr. Maysonet?

1 A. Yes, sir.

2 Q. Why did you plead guilty to the attempt
3 murder case?

4 MS. BONJEAN: Hold on. We're going to --

5 MR. GREENBERG: Well, no. That -- that gets
6 into -- I'm going to object. That gets into
7 attorney/client privilege matters.

8 MS. BONJEAN: Yeah. We're going to object at
9 that point, not so much on Fifth Amendment grounds,
10 but he does at this point have an attorney/client
11 privilege with his then attorneys as it relates to
12 that matter. So ...

13 MS. ROSEN: And I'm going to object to Steve
14 objecting from across the room. There's one lawyer
15 involved in defending the case. So he should get
16 closer to you and whisper in your ear, if that's
17 what he needs to do.

18 MR. GREENBERG: We're in a hotel room,
19 Eileen, and that would just make me a little bit
20 uncomfortable.

21 MS. BONJEAN: Okay. I will -- don't worry.
22 I will object from this -- this point.

23 MR. GREENBERG: I'll throw something at her,
24 if that's okay.

1 MS. ROSEN: I just don't want to hear you.

2 MS. BONJEAN: Well, you're not the only one.

3 MR. GREENBERG: Would you rather hear her?

4 That's really -- I -- that hurts.

5 MS. BONJEAN: Okay. Go ahead.

6 BY MR. BRUEGGEN:

7 Q. Mr. Maysonet, let me rephrase the
8 question, and I think -- you know, to clarify
9 everything.

10 Why did you plead guilty to the
11 attempt murder?

12 MS. BONJEAN: Okay. I'm going to object on
13 attorney/client privilege grounds. He's not going
14 to answer that question.

15 BY MR. BRUEGGEN:

16 Q. Mr. Maysonet, are you going to listen
17 to your attorney and not answer that question?

18 A. Yes, sir.

19 Q. Okay. How long was Martin Abrams your
20 attorney on the attempt murder case?

21 A. Just for a brief moment.

22 Q. When you say "a brief moment," can you
23 put that in days, weeks, or court hearing?

24 A. I'm going to put it like in -- I'm

1 going to put it like in court hearing. Because
2 after him, I went and hired another lawyer.

3 Q. Did Martin Abrams speak Spanish?

4 A. No, he don't. Just -- maybe just few
5 word here and there, though, but other than that,
6 though, no.

7 Q. And how long after retaining Mr. Abrams
8 did you hire another attorney?

9 A. Well, let's see. I got arrested in
10 July. I'll probably say before -- before I even
11 get out -- out of jail, though, or bond myself out,
12 I got the second attorney, though.

13 Q. Who was the attorney that you got, the
14 second attorney?

15 A. William Swano.

16 Q. Why did you switch attorneys?

17 MS. BONJEAN: I'm going to object on
18 attorney/client privilege grounds and instruct him
19 not to answer.

20 BY MR. BRUEGGEN:

21 Q. And, Mr. Maysonet, I will rephrase the
22 question -- or strike that.

23 Are you able to answer my question
24 without revealing anything you talked to your

1 attorneys about?

2 MS. BONJEAN: All right. Can you answer --
3 hold on.

4 Can I consult with him?

5 MR. BRUEGGEN: Yes. On this privilege, yes.

6 MS. BONJEAN: Yeah.

7 (Recess taken.)

8 MR. BRUEGGEN: Jennifer, are you guys ready
9 to go?

10 MS. BONJEAN: Yes. Go.

11 BY MR. BRUEGGEN:

12 Q. Okay. Mr. Maysonet, my last question
13 was, Why did you switch attorneys? And when I ask
14 that, I don't want to know anything you spoke to
15 your attorneys about in switching, but if you had
16 reasons for -- had reasons you discussed with your
17 family. Can you tell me, sir?

18 A. My family was the one who got lawyer,
19 so I really didn't have nothing to tell -- nothing
20 to decide on that, though, you know. That was they
21 money, not mine.

22 Q. So did your family retain Mr. Abrams?

23 MS. BONJEAN: Mr. Abrams or Mr. Swano?

1 BY MR. BRUEGGEN:

2 Q. Mr. -- Mr. Abrams, starting with the
3 first attorney.

4 A. Abraham, he been know by -- with the
5 family, but then later we got Swano through my
6 family, basically. You know, they the one who
7 really made the decision to get Swano.

8 BY MR. BRUEGGEN:

9 Q. Did your family retain Mr. Swano on
10 your behalf?

11 A. Yes.

12 Q. And did you tell your family you wanted
13 to switch attorneys before they were -- they
14 retained Mr. Swano?

15 A. No.

16 Q. Did you have any concern with them
17 switching attorneys even though you'd been
18 represented by Mr. Abraham?

19 A. No, not really.

20 Q. And do you know how your family came to
21 retain Mr. Swano?

22 A. I believe Swano, he was my
23 brother-in-law attorney.

24 Q. And who was your brother-in-law?

1 A. Wilfredo Rivera.

2 Q. Wilfredo Rivera?

3 A. Yeah.

4 Q. Was Wilfredo Rivera a member of the
5 Latin Kings?

6 A. Yes.

7 Q. Was he from your set?

8 A. No.

9 Q. What set was Wilfredo Rivera from?

10 A. Basically, he was from Whipple and
11 Wabansia.

12 Q. Did you pay Mr. Swano to represent you?

13 A. My family did.

14 Q. Do you know where your family got the
15 money to pay Mr. Swano?

16 A. They work, so ...

17 Q. Did you retain Mr. Swano before or
18 after you bonded out of prison on the attempt
19 murder charge?

20 A. I was -- I was still incarcerated when
21 I got Swano, though.

22 Q. You were still incarcerated when you
23 got Swano?

24 A. Yeah.

1 Q. Okay. Thank you, sir.

2 A. He went and visit me and stuff.

3 Q. Did Mr. Swano speak Spanish?

4 A. No, he didn't speak Spanish.

5 Q. How did you communicate with Mr. Swano?

6 A. Through the translator.

7 Q. Every time you spoke to Mr. Swano, was
8 there a translator?

9 A. Yes.

10 Q. Who posted your pail or bond to get out
11 of prison on the attempt murder charge?

12 A. My family.

13 Q. And do you know where your family got
14 the money to do that?

15 A. Again, they work, so ...

16 Q. Mr. Maysonet, earlier you talked about
17 a community fund from your set of the Latin Kings
18 and that was to be used for attorneys and bonding
19 people out. Do you recall talking about that?

20 A. Yes.

21 Q. Do you know if your family got any
22 money from your set of the Latin Kings to help pay
23 for your attorney?

24 A. No, they don't.

1 Q. What about to pay your bond?

2 A. They paid the bond, not -- not on the
3 money from -- from the gang.

4 Q. While you were incarcerated at the Cook
5 County Jail on the attempt murder charge, do you
6 recall speaking to Sergeant Mingey and Detective
7 Montilla?

8 A. Yeah. They went and visit me.

9 Q. Do you recall when they visited you?

10 A. Probably few week after I got locked
11 up.

12 Q. Do you recall prior to speaking to them
13 that a Cook County guard gave you a form to sign?

14 A. A Cook County -- Cook County guard, he
15 give me a form to sign, yes.

16 Q. Did you sign that form?

17 A. I did.

18 Q. And was that form explained to you?

19 A. Nobody explain what I was signing.
20 Just -- they just told me to sign in order for me
21 to get put in the room with the detective, though,
22 Montilla and Mingey.

23 Q. I'm sorry. Did you say it got put in a
24 room with -- or they put you in the room. Could

1 you -- I'm sorry. Could you just repeat your
2 answer, sir?

3 A. Right. I will explain to you.

4 After I sign the paper, I got put in
5 the room with Mingey and Montilla, though. I
6 didn't know they were there, though.

7 Q. And did you look at the form before you
8 signed it?

9 A. I did look at the form, but I couldn't
10 understand what it said, though.

11 Q. And what did Sergeant Mingey and
12 Montilla ask you about while you were in that room?

13 A. They want to -- they want to know if I
14 ha anything to do with -- with the double murder.

15 Q. The double murder that happened on
16 North Avenue just west of Kimball?

17 A. Yes.

18 Q. And if I refer to that as the Wiley
19 brothers murder, do you understand that the Wiley
20 brothers were killed in that murder?

21 A. Yeah. Just the -- the two guys that
22 got killed in there, they are the two -- were
23 actually two brothers, yeah.

24 Q. And I'm just trying to make it simple.

1 If we refer to that again, I don't want to keep
2 saying the murder what was west off Kimball on
3 North Avenue. Okay, sir? So I'll just call it the
4 Wiley brothers murder.

5 A. Okay. All right.

6 Q. Did you ask Mingey or Montilla if there
7 was a chance you could get a deal on your attempted
8 murder case if you had information about the Wiley
9 brothers murder?

10 A. No. They -- I never -- I never asked
11 for no deal.

12 Q. How long were you with Mingey and
13 Montilla in the room at Cook County Jail?

14 A. Few minutes, very, very, very short few
15 minutes. Not long.

16 Q. Less -- was it less than five minutes?

17 A. I'll probably say so.

18 Q. What else did Mingey and Montilla ask
19 you?

20 A. They just want to know, you know, my
21 wheres about that day. I kept telling them where I
22 was, you know. Suddenly they got mad because they
23 thought that I was not being truly honest with
24 them. So I got mad at myself too. So we got into

1 a heated argument in the room. And Montilla
2 started raising his voice on me and I raise his
3 voice on him. I got off of the chair. He ordered
4 me for me to sit down.

5 And I told him: No, I'm leaving.
6 I'm -- I don't -- I don't have nothing to talk to
7 you. You guys come to me. I didn't ask for you --
8 to see you guys, though, you know. I'm leaving.

9 That's when somebody came. The --
10 some old man that give me the paper, he came in the
11 room. He was screaming real loud. I don't know
12 what they were talking about. Only thing I saw,
13 that everybody focus on the old man where he was
14 screaming.

15 And that was my chance for me to
16 leave the room. I just leave the room. They said
17 I could leave the room anytime I want. I left the
18 room.

19 So the guard or the -- the old man,
20 he grabbed me. He was in civilian clothes, matter
21 of fact. He grabbed me and he took me. That was
22 it.

23 Q. And that old man in civilian clothes,
24 he worked for Cook County Jail?

1 A. Yes.

2 Q. Did either Mingey or Montilla lay any
3 hands on you in that interaction?

4 A. No, no. But he got -- it was a
5 heating -- a heating argument. I mean, it was
6 about to, you know, get real, real, real, real bad.

7 MR. BRUEGGEN: Mr. Maysonet, I would like
8 to show you what we'll mark as Maysonet Exhibit
9 Number 2.

10 And, Jennifer, this is the Cook
11 County Jail authorization.

12 MS. BONJEAN: Okay. Hold on. I have the
13 paper. Let me grab it.

14 MR. BRUEGGEN: And I'll also put it up on the
15 screen just to make sure we're on the same page,
16 sir.

17 MS. BONJEAN: Okay.

18 MR. BRUEGGEN: So -- and for the court
19 reporter.

20 BY MR. BRUEGGEN:

21 Q. Mr. Maysonet, I put up what we're going
22 to call Maysonet Exhibit Number 2 on the screen.
23 Can you look at that?

24 A. Yeah.

1 Q. You see that document?

2 A. Um-hmm.

3 Q. And I believe you have a paper copy
4 there of the same document?

5 A. Yeah.

6 Q. And would it be easier for you to use
7 the paper copy or the screen copy?

8 A. I think the copy would be better. I
9 can hardly see the numbers in that one.

10 Q. Okay. So why don't we use the paper
11 copy you have there. And just if you could for me
12 confirm that's the same document you see on the
13 screen.

14 A. Yeah. It is the same document.

15 Q. Okay. Mr. Maysonet, have you seen
16 Maysonet Exhibit Number 2 prior to today?

17 A. Don't believe it.

18 MS. BONJEAN: He's asking if you saw this
19 before today.

20 THE WITNESS: Yes. Yes, I did.

21 BY MR. BRUEGGEN:

22 Q. And can you tell us what Maysonet
23 Exhibit Number 2 is?

24 A. The Cook County Department of

1 Correction paper.

2 Q. And is this the -- the paper that the
3 Cook County guard handed to you before you met
4 Mingey and Montilla on August 1st, 1990?

5 A. Yeah.

6 Q. And see some typed writing and then
7 there's also some handwriting on the page, right,
8 sir?

9 A. Right.

10 Q. In August of 1990, you could recognize
11 your name when it was written on a piece of paper,
12 right?

13 A. Yes, sir.

14 Q. Again, the spelling of your name is the
15 same whether it's in Spanish or English?

16 A. My name in Spanish or English? My
17 name, it's there.

18 Q. Yeah. And what I'm asking is whether
19 it's -- you know, your name is the same whether you
20 speak Spanish or English, right?

21 A. Right. Yeah, yeah.

22 Q. And so when you were handed this form,
23 did you see your name on there?

24 A. Yes, I do.

1 MS. BONJEAN: No. What -- not --

2 THE WITNESS: Oh, talking about --

3 MS. BONJEAN: When -- can you lay some
4 foundation? Handed this form now or handed it at a
5 different point?

6 BY MR. BRUEGGEN:

7 Q. Mr. Maysonet, when you were handed this
8 form by Cook County correctional officer, you said
9 you looked at the form, right?

10 A. Yeah.

11 Q. And did you see your name on the form
12 when looked at it back in August 1st of 1990?

13 A. I saw that -- I saw my name in -- in
14 the -- in the page in the top.

15 Q. And did you see right below your name
16 there's some other writing and it says -- hard to
17 read, but it looks like Sergeant Mingey. Did you
18 see that?

19 A. Yes, I do.

20 MS. BONJEAN: No. He's talking in present
21 tense. Can you please --

22 MR. BRUEGGEN: I'm going to clarify,
23 Jennifer. Calm down.

1 BY MR. BRUEGGEN:

2 Q. Did you see that it says Sergeant
3 Mingey on this form when you were handed the form
4 back in August of 1990?

5 A. No.

6 Q. And then down below it there's some
7 additional handwriting. Again, do -- did you see
8 your name that's written there when you were handed
9 this form in August of 1990?

10 A. No. My name was not there. I signed
11 the paper where it got the signature, though. All
12 that maybe come later, though. I know the paper, I
13 had to sign the name right there. And this right
14 here, it was only my name. They didn't have no
15 Sergeant Mingey or whatever the stuff on the
16 bottom, though.

17 MS. BONJEAN: I'm going to -- I'm going to
18 represent that he -- he said he saw his name up at
19 the top, but they didn't have no -- no Sergeant
20 Mingey or anything else.

21 MS. ROSEN: I think he -- he can speak. Why
22 are you representing? He said what he said. Why
23 are you rephrasing what he said?

24 MS. BONJEAN: I'm not rephrasing. I am

1 clarifying what he's pointing to on the paper.

2 Fine. You don't want --

3 MS. ROSEN: Well --

4 MS. BONJEAN: You don't -- you guys figure it
5 out, but I'm not going to let you misrepresent what
6 he's saying. So go ahead. You figure out what
7 he's pointing at without being able to see it.

8 MS. ROSEN: Can you stop yelling?

9 MS. BONJEAN: I'm --

10 MS. ROSEN: You --

11 MS. BONJEAN: You can hear --

12 MS. ROSEN: You can point -- stop yelling.

13 MR. BRUEGGEN: All right.

14 MS. ROSEN: Just point to if you want to
15 identify on the page, but you -- you just simply
16 were repeating. You started with, He said. We can
17 hear him.

18 MS. BONJEAN: I said, He pointed.

19 MS. ROSEN: No, you didn't. You said, He
20 said.

21 MS. BONJEAN: Okay. Go ahead. Go ahead. I
22 will not -- I was trying to make it easier. I'm
23 not misrepresenting what he's -- what he's pointing
24 at, so --

1 MS. ROSEN: I'm not asking -- I'm not
2 suggesting that, Jennifer. I am simply saying if
3 you -- if you would like to tell us what he's
4 pointing to, that would be great, but that's not
5 what you just did. You said, He said.

6 MS. BONJEAN: Okay. Go ahead, go ahead.

7 BY MR. BRUEGGEN:

8 Q. And, Mr. Maysonet, I'm going to share
9 my screen again that has that same document, just
10 to make sure that I fully understand what you're
11 saying, because obviously the document's in front
12 of you and I'm not there with you.

13 So let me pull it up on the screen
14 for you right now. Okay? And you can look at
15 either your document or this document, but I'm
16 going to show you some things on this document that
17 I'm going to want you to look at. Okay?

18 A. Yeah.

19 MS. BONJEAN: You can enlarge or --

20 BY MR. BRUEGGEN:

21 Q. Does it need to be larger, sir, or can
22 you read it?

23 A. You could put little bit larger.

24 Yeah, that's good right there.

1 Q. That's good?

2 A. Yeah.

3 Q. Okay. And so up at the top where the
4 cursor is, it says, I, Inmate Jose Maysonet. Do
5 you see what I'm indicating, sir?

6 A. Yes.

7 Q. Was that Jose Maysonet written on this
8 form when it was handed to you by the Cook County
9 guard?

10 A. That was only thing was there, my name
11 and the ID number that I had when I was
12 incarcerated. That's about it.

13 Q. Okay. So this part right below your
14 name and ID number where it says, Sergeant Mingey,
15 and then typed DEPT and written CPD was not on
16 there when you signed this form?

17 A. No, it was not there.

18 Q. Right what below where it says again,
19 I, Inmate, handwritten Jose Maysonet and your ID
20 number, was that on this form when you signed it?

21 A. No. It was not there either.

22 Q. And then down below that it says,
23 Signature, and it appears to say, Jose Juan
24 Maysonet. Do you see that, sir?

1 A. Yes.

2 Q. Is that your signature?

3 A. It is.

4 Q. And you signed this form on August 1st,
5 1990?

6 A. Yeah.

7 Q. And you signed it before you met with
8 Mingey and Montilla?

9 A. Yeah, I did.

10 Q. Did you write your ID number?

11 A. No.

12 Q. Did you write the date?

13 A. No.

14 MR. BRUEGGEN: And, Mr. Maysonet, this is
15 another good point to take just a quick break to
16 use the bathroom or grab more coffee or a drink or
17 something, and we can get back on the record
18 shortly. I only need about like two to three
19 minutes, if that's all right.

20 THE WITNESS: Okay.

21 MR. BRUEGGEN: Does that work?

22 All right. Thank you.

23 THE COURT REPORTER: Can I get five?

24 MR. BRUEGGEN: Yes, we can do five.

THE COURT REPORTER: Thank you.

2 THE VIDEOGRAPHER: We're off the video record
3 at 3:10 at the end of Media Unit 4.

4 (Recess taken.)

5 THE VIDEOGRAPHER: We are back on the video
6 record at 3:17 at the beginning of Media Unit 5.

7 BY MR. BRUEGGEN:

8 Q. Mr. Maysonet, do you recall going to
9 court on the morning of August 22nd, 1990?

10 A. August 22nd, 1990, yes.

11 Q. What time was court that day?

12 A. I believe it was probably like around
13 9:00, 9:00 o'clock in the morning.

14 Q. Was that court for your attempt murder
15 charge?

16 A. Yes.

17 Q. What had you done that morning prior to
18 going to court?

19 A. Say that again.

20 Q. What did you do prior to going to court
21 that morning?

MR. GREENBERG: And don't leave out shit.

23 THE WITNESS: What did I do? Just eat my
24 breakfast and go -- go to court before I get myself

1 in trouble.

2 BY MR. BRUEGGEN:

3 Q. Do you know what time you arrived at
4 the Cook County courthouse?

5 A. Not probably before 9:00.

6 Q. Who did you go to the Cook County
7 Courthouse with on August 22nd, 1990?

8 A. Rosa Bella. My sister, Rose Maysonet.
9 And a friend of mine, though, that I know by his
10 street name, Pantoja, though. He was my driver.

11 Q. You said "street name, Pantoja."
12 Is that P-a-n-t-o-j-a?

13 A. Yeah, Pantoja. Not J -- J, yeah, J.
14 Yeah. I'm sorry. J.

15 Q. And was Pantoja, was he a Latin King?

16 A. No, no.

17 Q. Do you know what his real name was?

18 A. No. I -- I didn't. He was just -- he
19 was just one of the kids from the neighborhood,
20 though, you know. Good kid, though.

21 Q. And you said he was your driver?

22 A. Yeah. He was my driver that day.

23 Q. So he gave you a ride to the
24 courthouse?

1 A. Yes, he did.

2 Q. Did he stick around?

3 A. He -- he stuck around for a brief
4 moment and then he went outside. And by the time
5 he came -- he came in, I guess, you know, I was
6 already -- I was already on my way to the police
7 station.

8 Q. So he came in initially. Was he there
9 in court in Room 101?

10 A. Um-hmm.

11 Q. Yes?

12 A. Yes. Sorry, sorry. Yes.

13 Q. No problem, sir. You've done great so
14 far.

15 A. Okay. Thank you.

16 Q. And then when did he leave?

17 A. He -- he left, I want to say five
18 minute before -- before we got there. He went
19 outside. And by the time, you know, he came back,
20 that's when I was on my way to the police station,
21 though. He probably didn't even know what happened
22 to me until somebody else probably told him.

23 Q. And do you know where Pantoja lived?

24 A. By the time, yeah.

1 Q. Yeah, at the time.

2 Can you tell me what his address
3 was?

4 A. No. I don't know the address, but I
5 know where he was living, though.

6 Q. And can you describe where he was
7 living, whether cross streets or --

8 A. He was living right on Potomac and
9 Kedzie, though, right, the first building. I
10 really don't know the address around there, though.

11 Q. Was your attorney present with you in
12 court in Room 101?

13 A. My -- my lawyer, can you -- the name?

14 Q. Your -- your lawyer, was he present
15 with you in Courtroom 101 when you first appeared
16 at Cook County on August 22nd, 1990?

17 A. No.

18 Q. Your lawyer at that time was Mr. Swano?

19 A. Yes.

20 Q. And what happened in Courtroom 101?

21 A. The judge, he -- the judge give me --
22 when they call my name, the judge, she give me like
23 some kind of pass, a piece of paper. And by the
24 time I understood what she was being -- what she

1 was saying and to -- I mean, I keep thinking Judge
2 Morgan.

3 The judge, he was present that day,
4 I don't know the name, he give me a piece of paper,
5 and he said something. I came to find out what he
6 was telling me when -- when my sister, she told me
7 that I got to go to the courtroom in 302 and make
8 sure the name of the judge and I got to stay there
9 until they call my name. If I weren't -- if I
10 don't go there, I will get myself in trouble with
11 the judge.

12 Q. Was your attorney, Mr. Swano, supposed
13 to meet you in Courtroom 101 that morning?

14 A. He was supposed to meet me in --
15 when -- when the judge -- he assign me to a trial
16 judge. He said he'll be -- he will be there as
17 soon as, you know, the judge, we found out who the
18 judge is, though.

19 Q. Had you talked to your attorney,
20 Mr. Swano, that morning of August 22nd, 1990?

21 A. No.

22 Q. What happened after you left
23 Courtroom 101?

24 A. When -- when -- when I was walking out

1 of the courtroom going to the -- to the courtroom
2 that I was assigned for, I open the door and let my
3 sister go, go out of the courtroom. And Rosa
4 Bella, she followed my sister. And then somebody
5 grabbed my hand and got me out of the courtroom.
6 I'm thinking it was somebody playing. And when I
7 turn around and look, it was Paulnitsky holding my
8 hand and pushing me towards the wall.

9 Q. And did Paulnitsky say anything as he
10 was holding your hand and pushing you towards the
11 wall?

12 A. Yeah. He did say -- he did say
13 something, but I didn't understand what he was
14 saying.

15 Q. Did he say your name?

16 A. Did he say my name? Yeah. He did say
17 my name.

18 Q. And what else did Mr. Paulnitsky do?

19 A. He just handcuff me in the back and he
20 turned around. He was saying something. I asked
21 my sister what he was trying to say, though, and
22 she say, Oh, they say you got to go to the police
23 station with him.

24 Q. Got to go to what with him?

1 A. The police station.

2 Q. And where did -- where did you and
3 Detective Paulnitsky go?

4 A. We went -- when he put the cuff on me,
5 we walk to the opposite way from 101. I'll
6 probably say southeast of that -- of the
7 Courtroom 101, and got put in the elevator with my
8 head looking toward the wall. And the further I
9 went up, I look, when the -- when the -- when the
10 elevator stop and I look and I saw it was like the
11 10th floor in the Cook County building.

12 Q. Was anybody else with Detective
13 Paulnitsky?

14 A. No. He was by himself.

15 Q. When you were put in the elevator with
16 Detective Paulnitsky, was there anybody else in the
17 elevator with you?

18 A. No.

19 Q. You say you went to the 10th floor?

20 A. 10th floor, yeah.

21 Q. And where did you go on the 10th floor?

22 A. They put me in some -- like some
23 little -- some little room. And he went to make a
24 phone call. I saw him when he went to make a phone

1 call. And he came and he -- he stood there. He
2 didn't say nothing else.

3 And like five, ten minute later, I
4 guess, though, he -- he got a call and -- in the
5 phone that he made the phone call. And he just
6 took me all the way down to the basement. From the
7 basement, he took me out of the -- back of the Cook
8 County building, of the court building.

9 Q. And on the -- you say he took you down
10 to the basement?

11 A. Yeah. All the way down to the
12 basement, yeah, or all the way down to the -- to
13 the first floor, I guess. I know it was -- it look
14 like a basement to me.

15 Q. My question is: On the first floor,
16 were there cars there? In the basement, sorry.

17 A. No, there were no cars. There was just
18 like -- like stuff, like sheets and mops and stuff
19 like that, though.

20 Q. It was a different floor than where you
21 had gotten on the elevator?

22 A. Yeah.

23 Q. And what did you do once you got down
24 to that floor?

1 A. He pushed me toward -- towards a
2 detective car and they put me in the car, and from
3 there we went straight to the police station.

4 Q. Did you know -- or strike that.

5 Were there officers with the
6 detective car?

7 A. There were two detective in the car.

8 Q. Did you know either of the detectives?

9 A. No.

10 Q. And those detectives, you said, drove
11 you to the police station?

12 A. They did.

13 Q. Was Paulnitsky in the car with you?

14 A. No.

15 Q. What happened once you arrived back at
16 the police station?

17 A. They just put me in the room and I just
18 stood there by myself for quite a while until
19 Paulnitsky came. I guess he want to make sure that
20 I was there. He close the door. He didn't never
21 say nothing. And -- then came Montilla and Mingey.

22 Q. And so the room they put you in at
23 Area 5, was that similar to the room you had been
24 in when you were arrested for the attempt murder?

1 A. Yes.

2 Q. And the two detectives who drove you
3 there put you in that room and then closed the
4 door?

5 A. Yeah. But they put me in there and
6 they cuff me to the ring of the wall. There's a
7 ring in the wall, so they place like another
8 handcuff in between the one that I had on and cuff
9 me to the wall so I don't go nowhere.

10 Q. And you said you waited a while until
11 Detective Paulnitsky put his head in?

12 A. I waited a while until they -- until he
13 arrived, and Mingey.

14 Q. How long did you wait?

15 A. I waited a long time.

16 Q. Was it more than an hour?

17 A. More than an hour.

18 Q. Was it more than three hours?

19 A. More than three hours.

20 Q. Was it more than five hours?

21 A. No.

22 Q. Was it somewhere between three and five
23 hours that you waited before you saw --

24 A. I was -- basically, we were -- they

1 were waiting for the shift change so -- so when the
2 Detective Montilla and Mingey come, they were going
3 to come as soon as the shift change. I guess
4 that's what they were waiting for.

5 MS. BONJEAN: Don't guess.

6 BY MR. BRUEGGEN:

7 Q. And going back to the courthouse, do
8 you know how long you were in Courtroom 101?

9 A. As soon as I got there, my name, it got
10 called like -- probably like 20 minutes later.

11 Q. And after your name was called and you
12 got the slip, did you then immediately exit
13 Courtroom 101?

14 A. Well, I wanted to go home. I'm
15 thinking that I want to go home, but they told me
16 no, that I got to go to 302, when my sister put the
17 brakes on me. So I had to go. But I was on my way
18 to the Court 302 when right in between it happened,
19 I got arrested.

20 Q. And how long were you with Paulnitsky
21 before you were -- at the courthouse before you
22 were put in the car with the two detectives to go
23 back to the station?

24 A. I'll say probably like ten minute or

1 more.

2 Q. And so you get to the station. The two
3 detectives put you in the interview room. They
4 cuffed you to the call. And then you wait
5 somewhere between three and five hours. Right?

6 A. Yeah. Something like that, yeah.

7 Q. And did anybody check on you during
8 that time?

9 A. Yeah, Paulnitsky. He kept coming and
10 checking on me, see if I was -- I guess all right
11 or -- or I was still there, though.

12 Q. And then how many times did Paulnitsky
13 check on you while you were in there?

14 A. It was a number of time.

15 Q. And how would he check on you? Did he
16 open the door and pop his head in or did he just
17 look through a window?

18 A. Yeah. It's got this like -- like a
19 window like this, though, you know, with some kind
20 of fans in between. So yeah. There were time they
21 put a paper in. They put like a big, big paper.
22 And the only thing he do, he just -- just lift the
23 paper like this and look to see if I was there and
24 just close it down again.

1 Q. So when you were first put in the room,
2 there was paper on the window?

3 A. The window, yeah.

4 Q. And you would see Paulnitsky lift that
5 paper and check to see if you were in there?

6 A. Yeah.

7 Q. Did he say anything to you?

8 A. No.

9 Q. And then what happened next?

10 A. When Montilla and Mingey came, they --
11 they asked me some questions and stuff. And then
12 they put me down in the lockup room in nine to -- I
13 cannot say specifically the time, but then later it
14 happened that Officer Guevara went down to the
15 lockup room and got me and he took me back to the
16 floor that I was at first.

17 Q. And, sir, were you saying the -- the
18 lockup room?

19 A. (Nodding.)

20 Q. Okay.

21 A. Lockup room.

22 Q. Sorry.

23 A. Yeah, the jail, you know, where they
24 got --

1 Q. Yeah. No, no. I -- I understand, sir.

2 I just wanted to clarify.

3 So you were in the interview room,
4 Paulnitsky checked on you several times, and then
5 Mingey and Montilla came and talked to you?

6 A. Yeah. They came and talked to me real
7 briefly and -- and then they took me all the way
8 down to the lockup room.

9 Q. How long did Mingey and Montilla talk
10 to you?

11 A. Not -- not for long.

12 Q. What did they say to you?

13 A. Montilla, when Montilla came, he asked
14 me, Who brung you in? Who -- who -- who got you
15 here? So -- because I had the handcuff, I started
16 pointing, Oh, the white guy, the white guy. So I
17 guess he got offended.

18 And I was saying that in Spanish to
19 him. And Mingey -- Paulnitsky, he -- he started
20 walking towards us and he grabbed me by -- by the
21 shirt. And he told me if I would say anything bad
22 about -- about him or call him a white -- a white
23 guy, that he was going to bust my face. So he went
24 and slapped me right in my face and knocked me down

1 the floor.

2 And I look at Montilla, look at
3 Montilla, Hey, why you let him do that, though?
4 And he -- Montilla, he just turned around. He go
5 and say -- I'm just going to say exactly how he
6 said, though. He told Paulnitsky: Oh, what the
7 fuck, man, why do you got to hit him, though? You
8 know, don't -- don't do that to him. You know, he
9 a good guy, though, he know me. You know, he
10 willing to cooperate, though. You know, you don't
11 have to do that to him. Don't be a jerk, though,
12 you know.

13 So he -- Paulnitsky, he was saying
14 something to him. The reason that I know what he
15 said to him because I told -- I told Montilla, you
16 know, What did you tell him, though, you know? And
17 he said, I told him, you know, the why he did that
18 to you, you know, you -- you seem to be a good guy,
19 though, you know.

20 And I'm like, Man, I'm -- I'm
21 scared. I don't know -- I don't know what going to
22 happened to me. He like, Ain't nothing going to
23 happen to you, don't worry about it, though, you
24 know. So he told me, Come on, I'm going to put you

1 down there and we'll talk later, though, you know.

2 So he put me in the lockup room. I
3 didn't saw him until Guevara went down there an
4 pick me up, or brought me up.

5 Q. Was Mingey in the interview room when
6 you pointed at Paulnitsky?

7 A. Mingey was doing something. The one
8 who was in the room, it was Montilla. And the door
9 was open, so they could hear, you know, what we
10 were talking.

11 Q. So when Mingey and Montilla were in
12 there, the door to the interview room was open?

13 A. The door was open when Montilla --
14 Mingey came. Mingey left. I guess he went to look
15 for something or make a call or something. I
16 really don't know. It's just that when Montilla,
17 he was there, he asked me, Who brung you, who brung
18 you in, in Spanish. So I pointed to Paulnitsky
19 with my finger with my -- with my hands in the
20 back, though. And that's when he got mad and he --
21 I believe Montilla mentioned his name. That's --
22 that's how he know that we were talking about him.

23 Q. Was Paulnitsky in the room at that
24 time?

1 A. He -- he was out -- outside, but he can
2 see everything clear what's going on in the room.

3 Q. And what did Mingey and Montilla say to
4 you prior to Montilla asking you who brought you
5 in?

6 A. Nothing. They just -- they just told
7 me, Who brung you in, though, and they say, We're
8 going to talk to you, don't worry about it.

9 I would say, though, he -- after I
10 got hit and all that stuff, he put me down there in
11 the -- in the lockup room waiting until Officer
12 Guevara came down there and pick me up and put me
13 back in the same room that I was, though, you know.
14 And then that's when Mingey and Montilla, they went
15 and check on me, they left. And most of the talk,
16 it was with Guevara after that.

17 Q. So after you pointed to Paulnitsky, you
18 say he came in the room. And did he grab you?

19 A. Paulnitsky, he grabbed my --

20 Q. Yeah.

21 A. -- shirt, yeah. He grab it through
22 here, through the shirt, yeah.

23 Q. Grabbed your shirt?

24 A. Yeah. Right here, yeah.

1 Q. And what did he do after he grabbed
2 your shirt?

3 A. He just got real close to my face and
4 he was screaming on me, telling me if I would say
5 anything about him for far as white boy -- not
6 white boy, white guy, that he was going to bust my
7 face. He hit me in the face. He -- basically he
8 slapped me in the face and shoved me in the floor.

9 So I just looking on Montilla,
10 telling Montilla, Why you let him do that, though?
11 He like --

12 Q. So -- I'm sorry. Go ahead.

13 A. Montilla, he turn around. He -- you
14 know, he was just talking loud to him. I'm asking
15 him, What -- what were you saying to him, though,
16 you know? So he told me what he was saying to him.
17 Whether he was saying the truth or not, I don't
18 know.

19 Q. So Paulnitsky grabbed your shirt and
20 yelled at you?

21 A. Yeah. Yelled at me, yeah.

22 Q. And then he slapped you?

23 A. He slapped me after he finished saying
24 what he was saying, yeah.

1 Q. And did he slap you or did he punch
2 you?

3 A. He -- well, it felt like a punch, you
4 know. I mean, I was just, you know, a young guy,
5 though. Yeah, he hit me in the face.

6 Q. And did he have a closed fist or an
7 open fist?

8 MS. BONJEAN: Objection, form.

9 Go ahead.

10 THE WITNESS: It happened so fast, though,
11 really -- you know. I didn't even pay attention.
12 Surprised that he hit me, though.

13 BY MR. BRUEGGEN:

14 Q. And when he hit you, did he still have
15 a hand holding your shirt?

16 A. No. I was already on the floor. He
17 pushed me.

18 Q. So at the -- did he hit you when you
19 were on the floor?

20 A. No, no. When he grabbed me and he said
21 what he said, he put -- he slapped me and he pushed
22 me in the floor.

23 Q. Was he still holding you when he
24 slapped you?

1 A. Oh, yeah. When he slapped me, yeah, he
2 was holding me.

3 Q. And after he slapped you is when he
4 pushed you down to the floor?

5 A. Yeah.

6 Q. How many times did he hit you?

7 A. Only one.

8 Q. And after he pushed you down to the
9 floor, did he say anything?

10 A. Yeah.

11 Q. What did he say?

12 A. I don't know what he said, but I know
13 what he was saying, though, you know, it was -- he
14 was screaming on me.

15 Q. And after that, did he leave?

16 A. Montilla told him to leave, told him to
17 get out of the room.

18 Q. After that interaction with Paulnitsky,
19 is that when Montilla took you down to the lockup?

20 A. Montilla took me down to the lockup
21 room.

22 Q. How long were you in the lockup?

23 A. I was there for a while.

24 Q. More than two hours?

1 A. I fall asleep on there.

2 Q. You slept in the lockup room?

3 A. Yeah. I did fall asleep.

4 Q. And so you don't know how long you were
5 in there?

6 A. No.

7 Q. What happened next?

8 A. Guevara came. He ordered the officer
9 to open the door, so they -- yeah, the door. And
10 he got me off the cell, check me down, cuff me in
11 back again. And he put me back in the same room
12 that I was when I came in the police station.

13 Q. And what happened after he put you in
14 that room?

15 A. Well, he just sat me in there and he
16 told me, Do you know what you're here for? So I
17 told him, No, not really, I want to know, you know
18 what, going on. And he said he'll be back in a
19 moment.

20 He left and he came back. And he
21 told me what I was there for. And then he wanted
22 -- wanted me to talk to him. And I told him I
23 don't have no knowledge whatever the stuff that he
24 wanted to talk to me. So me and him, we was

1 already, you know, mad and stuff.

2 And I tried to offer him some money
3 and stuff, and he -- he don't want to -- he don't
4 want to take it. He just want to know what
5 happened to those guys, though, you know. I told
6 him I don't -- I don't have no clue. I'm being the
7 most honest than I can, though. So he like, Okay,
8 I'll be back. So he left.

9 He came back again. And this time
10 he came back with a -- with a flashlight. He came
11 back with a -- with a Yellow Book and a pair of
12 glove, one pair of black glove, and he put them in
13 the table. And then he keep telling me if I'm
14 ready to talk.

15 So I'm like, I don't have anything
16 to talk about; I want to have my lawyer present,
17 though. And that's when things got a little bit,
18 you know, out of hand and stuff. He -- he left, I
19 guess mad, telling me, You going to talk, one way
20 or the other, you're going to talk. I don't know
21 what he wanted to talk about.

22 When he came back, that's when, you
23 know, things got real bad, though, you know. He
24 started physically slapping me, hitting me in the

1 head with book, you know, asking me questions,
2 leaving the room, doing the same thing all over
3 again, come back, asking the question again.

4 I keep telling him: I don't know
5 nothing, you know. I want my lawyer. I want my
6 lawyer.

7 He keep getting more mad when I keep
8 mentioning the lawyer name, and hitting me,
9 leaving, coming back, repeating the same thing over
10 and over again.

11 Q. When Guevara got you out of the lockup,
12 was that the first time you saw Guevara on that
13 day?

14 A. Yes.

15 Q. And when Guevara was in the interview
16 room with you when he first put you in there, was
17 that the first time you talked to Guevara about the
18 double homicide on North Avenue, the Wiley brothers
19 murder?

20 A. He -- he talked to me about it, though.
21 But again, I didn't -- I didn't have no clue, you
22 know, what -- what he trying to do or say to me,
23 though.

24 Q. And again, sir, my question: Was that

1 the first time that Guevara talked to you about the
2 Wiley brothers homicide in that interview room?

3 A. Yes, sir.

4 Q. And you said initially Guevara just
5 asked you questions about it?

6 A. Guevara, he did, yeah.

7 Q. And then he left?

8 A. He asked questions for a brief moment
9 and then he leave and then come back again, asking
10 the same question again.

11 Q. How many times did he ask you questions
12 and then leave, where all he did was ask questions
13 and then leave?

14 A. It was bunch of times that he did that,
15 though.

16 Q. And at some point you said he brought
17 in a Yellow Pages book and a flashlight and gloves?

18 A. Yeah. He brought -- he brought a
19 Yellow -- a Yellow Book, it was a directory book,
20 and a flashlight and a pair of black glove.

21 Q. Did he bring those in after -- strike
22 that.

23 After he brought you into the
24 interview room, did he then go get the flashlight,

1 gloves, and Yellow Pages book, or bring it in?

2 MS. BONJEAN: Objection. He already answered
3 this question.

4 BY MR. BRUEGGEN:

5 Q. And, Mr. Maysonet, what I'm trying to
6 get at is when did Mr. Guevara bring in the Yellow
7 Pages, a flashlight, and the gloves? Had he talked
8 to you several times and asked you what happened
9 first or did he bring those in initially before he
10 asked you questions?

11 A. He talked to me first and then he -- he
12 got up. He left. And that's when he came back the
13 second time he placed the book, the flashlight, and
14 the glove in the table. We talked. He got up. He
15 left. He turned around. He told me, I'm just
16 giving you a chance for you to be -- to come clean.
17 He left. He came back.

18 And that's when he -- you know, like
19 I said, that's when he started getting mad. He
20 started yelling on me. I was getting mad too. And
21 that's when they -- when he start slap me in the
22 face and then hit me in the head with the book,
23 like -- in other word, like for me to be, you know,
24 like intimidated, though, you know, and scared so I

1 can just talk. But I don't -- I don't have
2 anything to stay; I don't have nothing to talk
3 about.

4 Q. So, Mr. Maysonet, am I understanding
5 you correctly, it was on the third occasion that
6 Guevara had left and come back in that he started
7 to hit you?

8 A. Yes.

9 Q. And how many times did he slap you?

10 A. He slap me a number of time, though,
11 you know.

12 Q. More than ten?

13 A. Huh?

14 Q. Let's talk about the third time that
15 Guevara came in when he first started hitting you.
16 How many times did he slap you?

17 A. He -- he slapped me once. And then
18 he -- he got up and grabbed the book, and that's
19 when he started hitting me in the -- in the head,
20 you know. I was just sitting.

21 MS. BONJEAN: The book?

22 THE WITNESS: Yeah, the book. He just hit
23 the book in the head. And after he hit me few time
24 with the book, and then he went and grabbed the

1 flashlight and he start hitting the flashlight in
2 the book in top of my head, though, you know, and
3 putting it somewhere in my body, though, and
4 hitting -- hitting the book with the flashlight,
5 though, you know. Touch my body, though.

6 BY MR. BRUEGGEN:

7 Q. So how many time did he hit you with
8 the book on top of the head?

9 A. I really -- I don't know. He just -- I
10 was just getting -- you know, getting beat up by
11 him, though. That's much as I can say, though, you
12 know.

13 Q. Did he ever hit you --

14 A. I --

15 Q. Did he ever hit you in the --

16 A. Go ahead. Sorry.

17 Q. Did he ever hit you in the side of the
18 head with the book?

19 A. He hit me in the head. He hit me in my
20 ribs. He place the book in the back. There's a
21 number of -- you know, where it hurt the most
22 basically, though.

23 Q. And so he - I think you were
24 indicating, correct me if I'm wrong, but he hit you

1 on top of the head with the book several times,
2 right?

3 A. Yes.

4 Q. Did he ever hit you in the side of the
5 head or the face with the book?

6 A. He -- he hit me in the head, not in the
7 side, you know, but he really did -- he did slap me
8 in the face, though, you know.

9 Q. Yes.

10 You said he slapped you once and
11 then he hit you with the book on top of the head
12 several times?

13 A. Um-hmm.

14 Q. And then did -- then what did he do
15 with the book?

16 A. He grabbed the flashlight and put it in
17 my head and -- and hitting the book with the
18 flashlight, though.

19 Q. So he put the book on top of your head
20 and hit the book with the flashlight?

21 A. Yeah.

22 Q. How many times did he hit the book with
23 the flashlight on top your head?

24 A. A lot of time, a lot of time. I didn't

1 count how many time. I know, you know, it was
2 just ...

3 Q. What were you doing while he was
4 hitting you?

5 A. What was -- what I was doing? Begging
6 him not to hit me.

7 Q. Were you screaming?

8 A. I did scream.

9 Q. And after he put the book on your head
10 and hit you a lot of times with the flashlight on
11 the book on the head, where -- I think you said he
12 put the book somewhere else on your body? Where
13 did he put the book then?

14 A. He hit me in the ribs. He hit me in
15 the back. He hit me my groin. He just -- he was
16 just hitting me anywhere that he can.

17 Remember, I'm cuffed against the
18 wall, so it was not too much movement for me, you
19 know, to move around. So ...

20 Q. And I understand that, sir.

21 I'm just trying to clarify that when
22 he hit you in the side, how did he hit you in the
23 side? Did he hit with the flashlight in the side?

24 A. No. Hit me with the hand in my face.

1 Q. No. In the side of your body, sir?

2 A. Oh, in the side? He put the book, the
3 Yellow Page in my side, and then with the
4 flashlight he kept hitting the book.

5 Q. And how many times did he hit the book
6 when it was on your side of your body?

7 A. It happened a lot.

8 Q. And then you said where else did he hit
9 you? You said --

10 A. My head.

11 Q. -- the back?

12 A. In my back, my groin.

13 Q. And when he hit you on the back, did he
14 just hit you with a flashlight on the back or did
15 he use the book?

16 A. The book and the flashlight.

17 Q. So he put the book up against your body
18 and then hit the book with the flashlight?

19 A. Yes.

20 Q. And how many times did he hit you on
21 the back like that?

22 A. I -- to be honest with you, I didn't
23 even count how many time. I know it was a lot of
24 time that he hit me, though, you know.

1 Q. And then what about in the groin? How
2 many times did he hit you in the groin?

3 A. He hit me a number of time in the groin
4 too.

5 Q. And how did he hit you in the groin?
6 Did he put the book up against your groin and hit
7 it with the flashlight or did he just --

8 A. No. He just got the flashlight, he
9 just -- he just hit me in the groin.

10 Q. So he swung the flashlight and hit
11 you --

12 A. Yeah.

13 Q. -- in the crouch?

14 A. In my crouch, yes.

15 Q. How many times did he hit you in the
16 crouch?

17 A. He hit me number of time.

18 Q. After that, did he hit you anywhere
19 else on this occasion that he's in the room with
20 you?

21 A. He stop for a moment. He leave. He
22 come back. And he repeat the same thing all over
23 again, hitting me in the same spots that he can hit
24 me with.

1 Remember, I'm cuffed in the back,
2 though, so there's not much me for me, you know, to
3 protect myself. So whatever place that he put the
4 book, he hit the book with the flashlight.

5 Q. Did you say you were cuffed in the
6 back?

7 A. Yeah.

8 Q. Or cuffed in the front?

9 A. No. I was cuffed in the back.

10 Q. And were the handcuffs attached to the
11 ring on the wall?

12 A. Yeah. They had another cuff in between
13 the cuff that I already have, hook up with a -- a
14 ring in the wall, a metal ring. It was like a
15 hook, like a big hook in -- in the wall of the
16 police station.

17 Q. And so how long was Guevara in -- the
18 third time he came in when we just talked about all
19 the times he hit you, how long was he in there with
20 you?

21 A. I don't know.

22 Q. Was it more than an hour?

23 A. I can't -- I can't remember. Only
24 thing, he just come real briefly, ask the question,

1 beat me, and leave.

2 Q. And so after he beat you, you say he
3 left. How long was he gone?

4 A. I don't know. I don't know for how
5 long he be -- only thing, like I say, he leave for
6 a moment, come back, ask the question, do what he
7 did, beat me up and stuff, leave to give me the --
8 the time for me to think about what I'm going to
9 say to him.

10 Q. Between the third time he was in there
11 when he hit you, did anybody else come in after
12 Guevara left?

13 A. No. Not at that moment, no.

14 Q. And then Guevara came back, and that
15 would be the fourth time that he was in there with
16 you?

17 MS. BONJEAN: Objection. That's -- that
18 misstates his testimony, but -- are you asking
19 about the fourth time or are you putting words --
20 or trying to characterize his testimony?

21 MR. BRUEGGEN: I'm -- and, Jennifer, I think
22 we clarified that it was the third time that
23 Guevara went in there that all of that hitting took
24 place.

1 MS. BONJEAN: No, no. That -- we haven't
2 clarified that. He -- he's testified differently
3 than that. He said something different. I'm not
4 going to repeat his testimony.

5 But I'm going to object to the
6 mischaracterization of what he said about --
7 about this.

8 BY MR. BRUEGGEN:

9 Q. So we just went through a bunch of your
10 testimony about Guevara hitting you and I was
11 asking you how many times.

12 Do you remember that, sir?

13 A. Yes, I did.

14 Q. And then --

15 A. Yeah.

16 Q. And then you said Guevara left and he
17 came back in, right?

18 A. Um-hmm.

19 Q. And when he came back in, what
20 happened?

21 MS. BONJEAN: Objection, asked and answered.

22 Go ahead. Answer again.

23 THE WITNESS: Repeat the same thing all over
24 again, though, you know. He do the questioning.

1 He see that he don't get no answer from me. He go
2 back to the beating again.

3 BY MR. BRUEGGEN:

4 Q. And on this second time that he was in
5 there beating you, where did he hit you?

6 A. The second time?

7 MS. BONJEAN: Yeah. I'm just --

8 BY MR. BRUEGGEN:

9 Q. Yeah.

10 After he left -- you said he beat
11 you and then he left the room. Now when he comes
12 back in the room, I'm calling that the second time
13 he's in the room with you, sir.

14 MS. BONJEAN: But that misstates his
15 testimony. It's not the second time he was in
16 the room with him. So, I mean, that's a
17 mischaracterization of his testimony. And it's
18 confusing, frankly.

19 BY MR. BRUEGGEN:

20 Q. And, sir, I think -- I thought we had
21 the times down, but maybe I'm mistaken.

22 So the first time when you talked
23 about Mr. Guevara hitting you, he left the room and
24 then he came back in, right?

1 A. Yes.

2 Q. Okay. And now after that first time of
3 him hitting you, he's in the room for a second
4 time, right?

5 A. Yes.

6 Q. And he hits you again?

7 A. He kept hitting me until the third
8 time. That's what I just said to you.

9 He came the second time. He ask me
10 the question again. That's when he brang the book
11 and the -- the flashlight and glove in the table.
12 We talk about for a brief moment and then he left.

13 The third time when he came in, he
14 ask the question and he see the -- the same answer
15 that I was telling him on previous time, I was
16 saying to him. That's when he really got mad and
17 he slap me in the face. He went and grab the book
18 and he start hitting me on top of the head with the
19 book. He might thought that I was not -- you know,
20 putting no face like, Oh, yeah, you -- you hurting
21 me and stuff like that, though, you know.

22 Only thing I keep saying, you know,
23 Why you doing this, though, you know? Why you
24 doing this? I thought you were my friend. I

1 thought you were my buddy, though, you know.

2 He keep putting the book in my ribs
3 and hitting me. He really didn't -- he really
4 didn't want -- he really didn't want to listen to
5 anything that I wanted to beg to him about for him
6 to stop, though, you know. Only thing he wanted me
7 to say whatever that he want to hear, though, you
8 know.

9 So he keep hitting me with the book
10 and the flashlight, leave, come back, and do the
11 same thing all over again.

12 Q. How many times did Guevara hit you with
13 the book and the flashlight and then leave and come
14 back in and hit you again?

15 MS. BONJEAN: Objection to the compound
16 nature of that question.

17 You can answer if you understand it.

18 THE WITNESS: He just -- he keep repeat -- he
19 keep -- he keep doing the same thing over and over
20 and over again, though.

21 Q. How long did that cycle of him hitting
22 you continue for?

23 MS. BONJEAN: Objection to the form of that
24 question.

1 THE WITNESS: Again, until I got -- until
2 they charge me with it, until they -- you know,
3 they made me say what they want to hear.

4 BY MR. BRUEGGEN:

5 Q. And do you know how long, timewise,
6 that took? Did --

7 A. No. I can't remember.

8 Q. Was it more than two hours?

9 A. It might -- I got there early in the
10 morning. I was in court. So yeah, all day, all --
11 all that day until I got to the police station.

12 Q. At some point you said you told them --
13 you told Guevara what he wanted?

14 MS. BONJEAN: No. Objection, that's --
15 mischaracterizes his testimony.

16 BY MR. BRUEGGEN:

17 Q. Sir, when did the -- when did Guevara
18 allegedly stop beating you?

19 A. When -- Guevara stop hitting me when --
20 when he really got me by my groin and he really,
21 you know, made me give up, and I -- I told him, you
22 know, whatever -- whatever stuff that he want me to
23 say, I'll -- I will say it to him, though, you
24 know, just for him to stop hitting me.

1 Q. And after you told him that you'd say
2 whatever he wanted you to say, what did he say
3 then?

4 A. He agree.

5 Q. And what was the next thing Guevara
6 said to you?

7 A. I mean, we just -- he left the room. I
8 believe Montilla came and he said something real
9 quick, but I was -- I was off my stuff already,
10 though, you know, that I didn't really care no
11 more, you know. Just I guess I want him to stop
12 beating me, though.

13 Q. Did Montilla come after Guevara had
14 stopped beating you?

15 A. Yeah.

16 Q. And what did Montilla say to you?

17 MS. BONJEAN: Objection, asked and answered.

18 BY MR. BRUEGGEN:

19 Q. Go ahead, sir.

20 What did Montilla say to you after
21 he came in after Guevara stopped being you?

22 A. For me to cooperate, though, you know.
23 That he know that Guevara, he's a mean guy, though,
24 you know. If I don't cooperate, though, you know,

1 he going to continue beating me up, just for me to
2 cooperate, though, you know. That I'm -- I'm
3 basically the one that I can stop him, though, you
4 know, if I cooperate with him.

5 Q. How did you respond to Montilla saying
6 that?

7 A. I told him I -- I'll do whatever he
8 want me to do, though, you know, so -- so he can
9 stop beating me up.

10 Q. At some point did you ask Montilla or
11 Guevara for medication for a nerves issue you had?

12 A. Yeah. I was shaking. I was -- I was
13 having a nervous breakdown, you know. And I used
14 to take medicine for it, but then I started taking
15 my mom medicine.

16 And I have one of the officer
17 call -- I think it was Montilla who called my house
18 to ask someone to bring some -- some medicine, some
19 medication, so I can calm myself down. And
20 somebody from my -- from my relative, they came to
21 the police station and gave me some medicine.

22 Q. So you had a nerve issue that you had a
23 prescription medication for?

24 A. Yeah. A long time ago I had a

1 prescription, but then after I stopped getting the
2 prescription for -- you know. No -- I had no -- I
3 didn't have no -- no formal Medicaid, though, you
4 know, so I stopped taking the medication. But my
5 mom, she was sharing her medication with me.

6 Q. So prior to going to the police station
7 on August 22nd, 1990, you had at times taken your
8 mom's medication for this nervous issue that you
9 had?

10 A. Sometime when I get nervous, yeah.

11 Q. And so you asked Montilla to contact
12 your family about getting you this medication?

13 A. Um-hmm. Yes, sir.

14 Q. And what happened then?

15 A. My sister came to the police station to
16 give me the medication. I took it; I drunk it.
17 And after that, though, you know, it was helping.

18 Q. After you had taken your mom's
19 medication before, right?

20 A. Yes, sir.

21 Q. Did you take the same amount that you
22 had taken before?

23 A. Yes, yeah.

24 Q. Did you get a chance to talk to your

1 sister when she brought you your medication?

2 A. For a brief moment.

3 Q. How long is a brief moment?

4 A. About five minute.

5 Q. Was there a police officer present when
6 you were talking to your sister?

7 A. Montilla.

8 Q. And was he standing next to you guys or
9 was he away from you?

10 A. He was -- he was standing the door of
11 the room. He want to make sure that I drink my
12 medicine -- the medicine too, though.

13 Q. And do you know how long your sister --
14 strike that.

15 After -- what did you say to your
16 sister?

17 A. I told my sister to leave, I was
18 getting -- I was getting beat up by the police.

19 Back then it was common for people
20 to get beat up and nobody care about it. I told
21 her what they were doing to me.

22 And she asked Montilla where is the
23 phone. And Montilla asked, For what?

24 I'm calling a lawyer. You're not

1 supposed to touch him. You're not supposed to
2 touch my brother. He just told me that you guys
3 hitting him.

4 And he ordered her to leave the
5 police station. He said, When we done with him, we
6 let him go or take him back to your house, though,
7 which they never did.

8 Q. So after you spoke to your sister, what
9 happened then?

10 A. Rosa Bella came.

11 Q. Did Rosa Bella come with your sister?

12 MS. BONJEAN: Objection, form.

13 If you know.

14 THE WITNESS: She came -- she came by herself
15 in the room, though. I'm pretty sure with my --
16 she came with my sister to the police station, but
17 only one people at a time that can go inside and
18 see me, though. She was the second one that went
19 in the room and seen me, though.

20 BY MR. BRUEGGEN:

21 Q. Were you able to speak to Rosa Bella?

22 A. Yeah. She -- she speak to me.

23 Q. And how long did you speak to her?

24 A. Oh, probably about ten minute.

1 Q. And what did she say to you?

2 A. She said that Montilla told her that
3 for me to cooperate, that if I do cooperate with
4 her -- I mean with him, with -- with the officer,
5 though, you know, they will let me go home.

6 Q. And what did you say to Rosa Bella?

7 A. I told Rosa Bella that they telling me
8 they don't believe that -- they talking about
9 taking her kid if I don't cooperate, though, you
10 know.

11 Q. Who said that they were going to take
12 Rosa Bella's kids if you didn't collaborate?

13 A. Guevara.

14 Q. How did Guevara know about Rosa Bella?

15 MS. BONJEAN: Objection to the form of that
16 question.

17 BY MR. BRUEGGEN:

18 Q. You can answer, sir, if you know.

19 MS. BONJEAN: How would he -- okay.

20 Go ahead, if you know.

21 THE WITNESS: I take -- I used to take Rey to
22 the house to -- to eat when I was with Rosa Bella,
23 so he know who -- who my girl is, though, by the
24 time.

1 BY MR. BRUEGGEN:

2 Q. So when you spoke to Rosa Bella, you
3 told Rosa Bella that the police were threatening to
4 take her children away?

5 A. Yeah, if I don't cooperate.

6 Q. And how did she respond to that?

7 A. She got mad. But at the same time, she
8 told me cooperate with them if you know anything.
9 And I keep telling her I don't know nothing.

10 Q. At some point did you provide the names
11 Lluvia, Tino, and Fro to the police?

12 A. Yes, I did.

13 Q. When did you provide those names to the
14 police?

15 A. When -- when we was -- when Guevara,
16 he -- he was just -- when Guevara, we was try to
17 make up story about, you know, how, you know, he
18 think how thing happen, he wanted me to involve
19 some other people. I involve -- they not the first
20 name that I involve, though.

21 The first name that I involve, it
22 was Cisco, Jeffrey, and Efrain. When they went and
23 look for them, they found out, Oh, we don't want
24 those guys.

1 I said, Well, why they don't want
2 those guys, though, you know? You wanted me to
3 mention some name, so I give you some name, though.
4 You know, whether they do -- happen to do with that
5 or not, I don't know; it's for you to find out.

6 They found out they -- they were
7 arrested or locked up the day that the crime
8 happened. So they told me that I got to come up
9 with some other name.

10 Q. When did you provide the names Cisco,
11 Jeffrey, and Efrain in the chronology of events
12 that we've talked about?

13 A. The day that Guevara wanted me to
14 cooperate.

15 Q. Was it before or after you talked to
16 your sister?

17 A. That was after.

18 Q. Was it before or after you talked to
19 Rosa Bella?

20 A. After.

21 Q. And when you told Guevara those names,
22 what did he say to you?

23 A. They went and looked for them.

24 Q. And how long before Guevara came back

1 and asked you for different names?

2 A. Right there, I -- I cannot tell you
3 exactly the same time, but it was quite a while,
4 though, when they found the guys and -- and went
5 and shake them, though, but I -- I'm pretty sure it
6 was -- it was -- it took a while, though, you know.

7 Q. And at some point you then gave them
8 the names Lluvia, Tino, and Fro, right?

9 A. When he came in, he said that the name
10 that I gave him first, those guys that were
11 arrested. That's when, you know, he want me to
12 give him somebody else name, and the name that came
13 up in my head was Lluvia, Tino, and Fro.

14 Q. And why did you include three people's
15 names as opposed to just one other person's name?

16 A. It's just Guevara idea, though.

17 Q. I'm sorry. What did you say, sir?

18 A. Guevara, Reynaldo. It was Reynaldo
19 idea though.

20 Q. So Guevara said --

21 A. Yeah.

22 Q. Guevara said give me three names?

23 A. He wanted me to throw people out there,
24 though, you know, to him.

1 Q. After providing him those names, did
2 you then go for a drive with Guevara around the
3 neighborhood to identify where Lluvia, Tino, or Fro
4 lived?

5 A. No, not at all.

6 Q. Did you speak to a female assistant
7 state's attorney later on that evening?

8 A. Yes, I did.

9 Q. And what did you say to her?

10 A. Well, she ask me if I had any knowledge
11 of what I was there for, if she wanted -- you know,
12 she wanted me to come out clean to her.

13 So I said: No. I don't have
14 anything to do with it. These people, they beating
15 me up.

16 She turned around and she said, Oh,
17 if you not cooperate, Officer Guevara, or Detective
18 Guevara, he -- he not a -- you know, he's a very
19 mean man, though.

20 So again, if I don't cooperate, you
21 know, I was going to get my ass beat up, basically
22 is what she was trying to say.

23 Q. So but you told her that Detective
24 Guevara had been beating you?

1 A. I told to Montilla, yeah, that I was
2 getting beat up by Guevara. But the state
3 attorney, she really didn't want to listen to that.
4 She just wanted me to cooperate.

5 Q. Did you tell the female state's
6 attorney that Guevara had been beating you up?

7 MS. BONJEAN: Objection. You're -- he just
8 answered that question.

9 MR. BRUEGGEN: I didn't understand his
10 answer. I'm -- if he did -- I thought he said he
11 told Montilla.

12 MS. BONJEAN: Well --

13 THE WITNESS: Montilla is the translator,
14 though. The lady, she know how to speak English.
15 She don't know how to speak Spanish, though, you
16 know, so I had to get it translated just to know
17 what she's saying.

18 BY MR. BRUEGGEN:

19 Q. Okay. So you told her through Montilla
20 that Guevara had beaten you up?

21 A. Yes.

22 Q. And what happened then?

23 A. She didn't believe me. She just wanted
24 me to -- you know, to cooperate and tell them what

1 I know, which I didn't know nothing. I really
2 don't.

3 Q. Did you say anything else to her?

4 A. I want my lawyer present.

5 Q. And what happened after you asked to
6 have your lawyer present?

7 A. She just told me if you not cooperate,
8 you're going to have to talk to Guevara again, and
9 you really don't want him in your hair. She turn
10 around and she left. I didn't want to cooperate.

11 Q. After she left, then what happened?

12 A. Guevara came in the room. And again
13 the same -- the same that he did the first, second,
14 and third, then he start doing it again. Beating
15 me up, asking question and leaving the room, coming
16 back. At one point, he really run out of breath so
17 much as he was beating me up.

18 Q. So after you spoke to the female
19 state's attorney, Guevara came back in the room and
20 continued to beat on you?

21 A. Yeah.

22 Q. And how many times -- how long was he
23 beating on you at that time?

24 A. For a long time. He keep coming back

1 and forth. All that day, all that night,
2 basically, he would just coming in and out and
3 beating me up, not letting me use the toilet. I
4 didn't even ate that day. I even had to pee on
5 myself. I even, you know, poop on myself. I
6 screamed. I did anything possible that I can just
7 to get away from this man, but I couldn't done
8 nothing.

9 Q. So from the time that Guevara started
10 betting you, did he basically continue to beat you
11 off and on through the rest of the night, including
12 after you talked to the female state's attorney?

13 A. Yes.

14 Q. And what happened -- at some point did
15 you talk to a male state's attorney?

16 A. I believe yes, I did.

17 Q. And who was that male state's attorney?

18 A. I didn't know no name by the -- by the
19 time that I was at the police station, but I know
20 it was a young Caucasian guy who happened to work
21 with the DA. He told me -- well, he told me
22 through the translator, I am a lawyer, but I'm not
23 your lawyer; I represent the police.

24 Q. And when you spoke to that assistant

1 state's attorney, you said you had urinated on
2 yourself?

3 A. I was already -- I already used the
4 toilet on myself.

5 Q. And you said you had also defecated or
6 pooped in your pants?

7 A. Yes. I did poop in my pants, yes.

8 Q. And so when you spoke to him, you were
9 sitting there in poop and urine?

10 A. He didn't care.

11 Q. What did he stay to you, the state's
12 attorney?

13 MS. BONJEAN: Objection, form -- or that's
14 fine.

15 Go ahead.

16 THE WITNESS: He just, again, the same
17 questioning. What I was doing that day. He want
18 to know about my wheres about.

19 At that point, we -- you know, we
20 haven't made no deal yet, but then later on that
21 night when Guevara, he really, really, really
22 brought me down and I agree with him to cooperate
23 with him, though, you know, that's when I saw
24 the -- the state attorney again, the same young

1 guy, in another room. They didn't -- he didn't
2 want to come in the room because it was kind of
3 bad, though, you know, smelling bad, though, you
4 know. So he put me in another room and talked to
5 me through Montilla, and asked me if I was ready to
6 cooperate, though, you know.

7 And when Guevara came, basically he
8 just came out with idea what I'm supposed to say as
9 to these guys -- you know, when everybody that I
10 did name and everybody got -- I guess they chained
11 in police station, that's when he really -- he got
12 happy. He like, Oh, yeah, these guy right here,
13 you know, they don't -- they never got arrested
14 that day, you know. It's a possibility they
15 probably don't have nothing to do with it,
16 whatever, whatever, you know. This, this, and
17 that, you know.

18 But I keep telling him, though, you
19 know, just involving these people, man, these
20 people didn't have nothing to do with it. You just
21 wanted me to lie, though, you know.

22 So he's like, You did good, you did
23 good, though. If -- if you don't cooperate, you
24 don't do what supposed to do, you know what's going

1 to happen again, though, you know. So I -- know, I
2 just -- I do what you want me to do.

3 BY MR. BRUEGGEN:

4 Q. And, sir, you had given Guevara the
5 names Lluvia, Tino, and Fro prior to the time that
6 you sat down with the female state's attorney?

7 A. That was after, after. She -- I was
8 keep beating up. Guevara keep coming back and
9 beating me up and stuff.

10 And at one point when he got my --
11 my groin and he brought me down, I was actually in
12 tears, though, you know. He -- that's when I
13 agreed with him. I told him, Yeah, I'll do
14 whatever you want me to say.

15 Q. And this is after you had met with the
16 female state's attorney?

17 A. Yeah. After, yeah.

18 Q. Was it before you met with the male
19 state's attorney?

20 A. It was after.

21 Q. So you sit down with the male state's
22 attorney, and what did you say to him?

23 A. I told him the same thing too, you
24 know. I'm getting beat up by this guy, though, you

1 know. I don't know nothing what he wanted to know
2 about, though. I just want him to stop. I want
3 him to stop beating me up. I want my lawyer
4 present, you know. I -- I wanted them to help me,
5 though, but nobody seemed to help me, though.

6 Q. So you told them --

7 A. They let him keep beating me up.

8 Q. So you told the male state's attorney
9 that Guevara was beating you and that you wanted
10 your lawyer?

11 A. Yes, I did.

12 Q. And after that, did the male state's
13 attorney leave the room?

14 A. Yes.

15 Q. And Guevara continued to beat you up?

16 A. Guevara came back and he started same
17 thing all over again.

18 Q. Is that the point where you provided
19 the names Lluvia, Tino, and Fro?

20 A. When he grabbed me -- well, it was not
21 in the moment, but I know it got to the point where
22 he grabbed my by the groin and brought me down, so
23 I didn't have no choice, just to cooperate with
24 him.

1 Q. So did you collaborate with him while
2 he was holding onto your -- was he grabbing your
3 penis and your testicles or just your testicles?

4 A. Just grab all everything.

5 Q. Everything?

6 A. Yeah.

7 Q. And was that when you agreed?

8 A. Yes, I did.

9 Q. And is that when you provided --

10 A. To cooperate with him. I agreed to
11 cooperate with him, whatever stuff that he want me
12 to do or say.

13 Q. And that's when you gave him the name
14 Tino, Fro, and Lluvia?

15 A. No. I give up the name of -- of Jeff,
16 Jeffrey, Cisco, and Efrain.

17 Q. Okay. So you gave those names after
18 you had met with the female state's attorney and
19 after you met with the male state's attorney,
20 that's when Guevara grabbed you by the groin and
21 you provided the name Cisco, Jeffrey, and Efrain?

22 A. Yeah.

23 Q. And then you said some time passed
24 before Guevara checked those out and he came back

1 to you and asked you for different names?

2 A. He told me those guys, they was
3 arrested that day when the crime happened. They
4 spend the night in jail. That's what he said. So
5 he wanted me to provide him with some other name,
6 someone that he think -- that I think who can
7 committed a crime like that. So I just mention
8 Lluvia name, Tino, and Fro.

9 Q. At some point later that morning, did
10 you give a court-reported statement with the male
11 state's attorney?

12 MS. BONJEAN: Objection to the form of that
13 question.

14 THE WITNESS: When -- when I agree and they
15 got these three guys and they came back that they
16 were arrested or locked up all that night when the
17 crime happened, and I provide some other name and
18 they came back with those guys, they were like,
19 okay, cool. They stop -- the beating stopped.

20 And that's when -- that's when
21 the -- the DA, they put me in the room, and
22 Montilla ask me if I ever met a court reporter
23 before. So I said no, I don't even know what's
24 that, you know. So he said, Well, you're going to

1 have a court reporter to see what the stuff that
2 Guevara wanted you for you to say, though, you
3 know. I got it written down.

4 At first they tried me in English,
5 but I couldn't -- I couldn't read, you know,
6 whatever stuff on the paper. And they decide to --
7 to ask me the question through Montilla in English,
8 he say it in Spanish, so the answer it was in the
9 paper already written, though, you know, in
10 Spanish, so he can translate it back in English,
11 though, you know, to the court reporter.

12 BY MR. BRUEGGEN:

13 Q. So you recall sitting down with a court
14 reporter with the male state's attorney and
15 Detective Montilla?

16 A. And Guevara. I believe Mingey was in
17 the room too. And some other officer too, though.
18 I really don't know they name.

19 Q. So in addition to the male state's
20 attorney, there were four policemen in the room,
21 you said?

22 A. Off and on, off and on.

23 Q. And that was when you were -- the court
24 reporter was typing everything you said?

1 A. Yeah.

2 Q. And after you gave that statement, do
3 you remember you were provided a typed-up copy of
4 that statement to sign?

5 A. They -- they did produce some papers to
6 sign and I refused. I didn't want to sign nothing.
7 So they say -- when Rosa Bella came the next day in
8 the morning to check with me, see if I was leaving
9 home, I haven't signed the statement yet. So Rose
10 said, Sign it because that probably mean they're
11 going to let you go home. Now, this is the time
12 that she pregnant with my son too.

13 Q. So you spoke to Rosa Bella before you
14 signed the statement?

15 A. Yes.

16 Q. When did you speak to her?

17 A. It was early morning the next day.

18 Q. So early morning the next day, the
19 police came back with the statement and you refused
20 to sign?

21 A. I reviewed to sign.

22 Q. And then you were able to speak with
23 Rosa Bella?

24 A. Well, they -- they threaten me they

1 were going to call Guevara to come in the police
2 station to talk to me. And it happened that Rosa
3 Bella, she just arrived in the police station. So
4 she went -- they let her see me all because she was
5 pregnant. And I don't know what the police told
6 her.

7 Only thing, though, she came and
8 told me that, Baby, sign the papers so they can let
9 you go home. They say if you sign and cooperate,
10 they were going to let you go home.

11 I told her, They not going to let me
12 go home; they acting like they not. So I told her,
13 you know, I'm -- as soon as I go home, we going to
14 have to move because I'm going to be in trouble
15 with -- with the guys, though.

16 So only thing she wanted me to worry
17 about me getting up out of there and go home, which
18 I never did.

19 Q. And ultimately you did sign a statement
20 that you had given?

21 A. Yes, I did.

22 Q. Do you recall after you gave the
23 statement that a photograph was taken of you?

24 A. That was after.

1 Q. After you gave the statement a
2 photograph was taken?

3 A. Yeah. When I got -- when I came to the
4 police station that morning.

5 Q. Which morning?

6 A. That morning that I got arrested for
7 the double murder.

8 Q. A photograph was taken of you when you
9 immediately got to the police station after
10 Paulnitsky had you transferred from Cook County
11 Jail?

12 A. Yeah. When I got to the police
13 station, that's when they took a -- a Polaroid
14 picture. That's what it was.

15 Q. And did they take any other pictures of
16 you? Photographs of you?

17 A. Yeah. They take a picture when you go
18 down there and get your fingerprints and stuff
19 like that, but other than that, though, yeah, that
20 was -- that was it.

21 Q. So the only Polaroid picture that was
22 taken of you was when you immediately got to the
23 police station on August 22nd?

24 A. Um-hmm. Yes, sir.

1 MS. BONJEAN: Can -- when you have a second,
2 whenever you're ready, I just want to take a
3 two-minute bathroom break, but if you want to --

4 MR. BRUEGGEN: Let's do that right now,
5 because I'm going to get into some exhibits, so ...

MS. BONJEAN: All right.

7 MR. GREENBERG: Six hours and 40 minutes.

8 MS. BONJEAN: What -- how much time do you we
9 have on the record here?

10 THE VIDEOGRAPHER: Five hours, 16 minutes and
11 counting till we go off.

12 MS. BONJEAN: Okay.

13 MR. BRUEGGEN: Let's go off now.

14 THE VIDEOGRAPHER: We're off the video record
15 at 4:18 at the end of Media Unit 5.

16 (Recess taken.)

17 THE VIDEOGRAPHER: We are back on the video
18 record at 4:28 and the beginning of Media Unit 6.

19 MR. BRUEGGEN: Mr. Maysonet, I'm going to
20 show you what we will mark as Exhibit Number 3. I
21 will share it on the screen.

22 And, Jennifer, maybe you can pull
23 it. It's his statement that we just talked about,
24 if you can pull the hard copy.

1 MS. BONJEAN: One second, I will grab it.

2 MR. BRUEGGEN: And, Mr. Maysonet, while your
3 attorney's grabbing that, can you look at the
4 screen? I put a document up, and we're going to
5 try to get you a hard copy of that document as
6 well.

7 THE WITNESS: Okay.

8 MS. BONJEAN: Yeah, we have it.

9 MR. BRUEGGEN: Okay, great.

10 BY MR. BRUEGGEN:

11 Q. Mr. Maysonet, you can use the hard
12 copy, if you'd like.

13 Can you identify what we've marked
14 as Maysonet Exhibit Number 3?

15 THE WITNESS: He's talking about this one
16 here, right?

17 MS. BONJEAN: Yeah.

18 BY MR. BRUEGGEN:

19 Q. Yeah. The one up here, and you should
20 have a hard copy in front of you as well that you
21 can flip through more easily than I can scroll.

22 A. Okay. It say, Investigation, shooting
23 deaths of Torrence and Kevin Wi- -- Wiley.

24 Q. And do you recognize -- sorry, sir.

1 Did you say something else?

2 A. Statement of Jose Maysonet.

3 Q. Do you recognize this to be the -- the
4 statement that was recorded from you on the morning
5 of August 23rd, 1990?

6 MS. BONJEAN: Objection to the form and
7 foundation of that question.

8 THE WITNESS: Yes, I remember this.

9 BY MR. BRUEGGEN:

10 Q. If we go to the bottom of the first
11 page, which for the record is JGS_MAYSONET 1697, do
12 you see it says -- looks like it says Jose Juan
13 Maysonet, Jr.; do you see that, sir?

14 A. Yes, sir.

15 Q. And I'm showing it on the screen where
16 there's a signature.

17 A. Yes, sir.

18 Q. Is that your signature?

19 A. Yes, sir.

20 Q. Did you sign this page?

21 A. I did.

22 Q. And you told us you signed it after you
23 had already talked to Rosa Bella, correct?

24 A. Yeah.

1 Q. And then moving on to the very end, the
2 last page of it, there's a signature line with an X
3 in front of it, which is page 7 of Exhibit 3. You
4 see that, sir? And I have it up on the screen.

5 A. I got it.

Q. And is that your signature?

7 A. Yes, sir.

8 Q. And you signed that page?

9 A. I did sign it.

10 Q. And have you had a chance to read your
11 statement that's Exhibit 3?

12 A. No.

Q. You've never read that?

14 A. NO.

15 Q. So you can't tell me what in that
16 statement is true and what's false?

A. The whole statement is false.

Q. Everything in the statement is false?

19 A. Everything.

20 Q. Okay. And, sir, when you talked to --
21 after the statement was typed up, did you talk to a
22 State's Attorney DiFranco about the statement
23 before you signed it?

24 Is that a no?

1 A. No. I said no.

2 Q. Okay. Sorry, I did not hear you. I
3 saw you shaking your head.

4 Did you make any corrections to the
5 statement or did you see the state's attorney make
6 any corrections to the statement in your presence?

7 A. He -- only thing he -- he said that --
8 that he not my lawyer, he --he represent the
9 police, not me.

10 Q. And, sir, I'm going to show you -- if
11 you could look at the third page of the statement,
12 JGS_MAYSONET 1699. Take a look at that, sir. You
13 can see that there's a typed thing and it appears
14 it's crossed out and then something -- the word
15 "something" is written.

16 Do you see that on -- my cursor's
17 right by it. You see that, sir?

18 A. I see it.

19 Q. Do you -- were you present when that
20 correction was made?

21 A. Not that I remember.

22 Q. And next to the word "something" are
23 the initials JJM. Do you see those, sir?

24 A. Yeah.

1 Q. And those are your initials?

2 A. That's my initials, though.

3 Q. Did you put your initials here?

4 A. I really don't know.

5 Q. You don't recall putting your initials
6 here?

7 A. I don't remember.

8 Q. Now, sir, I want to show you what we'll
9 mark as Maysonet Exhibit Number 4, and this is the
10 Polaroid photo and backsides.

11 You see that, sir?

12 A. Yes.

13 Q. What's been marked as Exhibit Number 4?

14 A. Yes, sir.

15 Q. Polaroid photo and then the back of the
16 Polaroid photo.

17 A. I see.

18 Q. And do you have a copy of this that you
19 can work off of a hard copy, or do you want me to
20 show you on the screen?

21 MS. BONJEAN: We don't have a copy of the
22 photos.

23 MR. BRUEGGEN: Okay. No problem.

1 BY MR. BRUEGGEN:

2 Q. And so, sir, can you identify what
3 Exhibit Maysonet Number 4 shows?

4 A. It shows picture of me.

5 Q. And do you know when that picture was
6 taken?

7 A. Right as soon as I got arrested.

8 Q. So this is the photograph you said that
9 was taken shortly after you were brought to Area 5
10 after leaving Cook County court?

11 A. Yes, sir.

12 Q. And looking at the backside of the
13 photograph, which is CCSAO 1474.

14 And, sir, just to show you, I'm
15 reading these Bates numbers down here, so you know
16 where I'm at.

17 A. Okay.

18 Q. Do you see some writing that was on the
19 back of that Polaroid?

20 A. Um-hmm. I see.

21 Q. And do you see an X with a signature
22 after it?

23 A. I see.

24 Q. And is that your signature after that

1 X?

2 A. It is my signature.

3 Q. Do you remember signing this -- the
4 back of this Polaroid photo?

5 A. I don't remember signing the back of
6 the photo, but I -- I do recognize my signature,
7 though.

8 Q. And looking at this page, do you recall
9 signing a document, a photo, or anything that had
10 the writing on there that you see?

11 A. Actually, I don't -- I don't remember
12 writing that, writing my name in behind the
13 picture, though.

14 Q. Okay. But that is your signature, sir?

15 A. It is my signature. I'm not going to
16 deny that it -- that it not my signature. It is my
17 signature, but I don't remember signing the picture
18 there.

19 Q. And up above your signature it says --

20 A. At Area 5. I believe it say something
21 about HP, Thursday, August 23rd, 1990, at 10:55 a.m.,
22 and some -- I don't know, some kind of initial,
23 though, CSR.

24 Q. And, sir, do you recall your statement

1 was given on Thursday, August 23, 1999 -- or strike
2 that.

3 Do you recall that your statement
4 was given on Thursday, August 23rd, 1990, around
5 10:00 in the morning?

6 A. No.

7 Q. After you gave your statement that we
8 just looked at, do you -- sorry.

9 Sir, after you gave your statement
10 that we just looked at, do you recall leaving the
11 police station to go for a ride with Detective
12 Paulnitsky, Detective Montilla, and the state's
13 attorney that you had given your statement to?

14 A. If ride -- if I leave the police
15 station with them, you mean?

16 Q. Yes. In a car, sir.

17 A. No. I -- I never leave the police
18 station.

19 Q. So from the time that you were brought
20 to the police station on the morning of August 22nd,
21 1990, until you were transferred to Cook County
22 Jail, you never left the police station?

23 A. Never left the police station. I
24 didn't even leave the room.

1 Q. And, sir, after you gave that
2 statement, do you recall you were charged with the
3 double murder, the Wiley brothers murder?

4 A. Yes, sir.

5 Q. And you were brought down to the lockup
6 at Area 5?

7 A. Area 5.

8 Q. And then subsequently transferred to
9 Cook County Jail?

10 A. Yeah. They did transfer me. I don't
11 know when, though, but I know they did transfer me.
12 They got me up out of there.

13 Q. And who represented you initially for
14 your -- for the murder charges against you?

15 A. For the -- for the murder charges, the
16 one who represent me, it was Rick Beuke.

17 Q. And when did you retain Rick Beuke?

18 A. I'll say probably it was -- it was just
19 right -- I believe it was right after -- after
20 Swano. He -- he got charged with something in
21 court, I believe.

22 Q. Did Swano represent you on your -- on
23 the murder charges?

24 A. He started to, but something happened

1 to him.

2 Q. Were you also represented by an
3 attorney named Neil Spector?

4 A. He was my lawyer, yeah, after Swano.

5 Q. So after Swano was your attorney, and
6 you said Swano got in trouble, did you retain Neil
7 Spector?

8 A. Well, I didn't have no choice. Yeah.

9 Q. Did Neil Spector speak Spanish?

10 A. He always -- he always brings -- you
11 know, I always get translator, though. Neil, he
12 don't know how to speak Spanish.

13 Q. So do you recall meeting with your
14 attorney Neil Spector to talk about a motion to
15 suppress the statements you made?

16 A. No, never talk about it.

17 Q. Do you know if Neil Spector filed a
18 motion on your behalf seeking to suppress
19 statements?

20 A. I was not aware about it.

21 Q. Did you want the statements that you
22 had given on August 22nd, 1990 to be suppressed?

23 MS. BONJEAN: Objection to the form.

24 But go ahead.

1 THE WITNESS: I don't think Neil never -- I
2 don't think Neil never did nothing to represent --
3 to represent me in the double murder. The one who
4 represent me in the double murder was Rick Beuke.
5 As matter of fact, he was the one who go to court
6 most of the time because it got to a point that
7 Neil Spector, he -- he -- basically he -- he didn't
8 talk no more for -- for my behalf. Rick Beuke was
9 doing everything at one point.

10 Q. Did Neil Spector represent you at the
11 same time as Rick Beuke?

12 A. He was supposed to.

13 Q. And, sir, I'm going to show you what
14 we'll mark as Exhibit 5. And this is the motion to
15 suppress, file-stamped August 4th of 1992, and
16 Bates stamped CCSAO 722.

17 MS. BONJEAN: Okay. Hold on one second.

18 All right. We have the paper copy.

19 BY MR. BRUEGGEN:

20 Q. And, Mr. Maysonet, I put up Exhibit
21 Number 5 to your deposition up on the screen, but I
22 believe you also have a paper copy. Feel free to
23 use the paper copy.

24 A. Okay.

1 Q. But can you just confirm that you do
2 have the same document that I have on the screen
3 you have in front of you?

4 MS. BONJEAN: Well, hold --

5 THE WITNESS: Yes, sir.

6 MS. BONJEAN: Well, hold on. Let's look at
7 the Bates stamp, please.

8 MR. BRUEGGEN: I have CCSAO 722 to 726.

9 THE WITNESS: There they are.

10 MS. BONJEAN: Okay.

11 BY MR. BRUEGGEN:

12 Q. Mr. Maysonet, have you seen this
13 document before that's been marked as Maysonet
14 Exhibit 5?

15 A. No, never. Never saw this till --
16 until now.

17 Q. And do you see the caption on this
18 document that says People of the State of Illinois
19 v. Jose Maysonet; do you see that?

20 A. I see it.

21 Q. Do you recall talking to your attorney
22 about trying to suppress statements you made?

23 MS. BONJEAN: Okay. Hold on a second. I'm
24 going to -- give me one second.

3 MR. BRUEGGEN: Start with Neil Spector.

4 MS. BONJEAN: Hold on. I don't know -- I
5 need -- give me one second to consult with my
6 client. We may be asserting an attorney/client
7 privilege as to Neil Spector.

8 MR. BRUEGGEN: Okay. We can go off the
9 record and you can talk to Mr. Maysonet and let us
10 know when you're ready.

11 MS. BONJEAN: Okay.

12 THE VIDEOGRAPHER: We're off the video record
13 at 4:42.

14 | (Recess taken.)

15 THE VIDEOGRAPHER: We are back on the video
16 record at 4:44.

17 MR. BRUEGGEN: Kathy, can you please read
18 back the last question.

19 (The record was read as follows:
20 Q. Do you recall talking to
21 your attorney about trying to
suppress statements you made?)

22 MS. BONJEAN: Okay. At this time I'm going
23 to advise my client not to answer that question
24 on -- on the basis of the attorney/client

1 privilege.

2 BY MR. BRUEGGEN:

3 Q. Okay. Sir, are you going follow your
4 attorney's advice and not talk about any
5 conversations you had with Mr. Spector?

6 A. Yes, I am.

7 Q. And, sir, I want to show you what we've
8 marked as Exhibit 5 that was just up on the screen.
9 I will show you that. And I will represent to you
10 that this is a document that was filed in your
11 case, your -- the criminal case for the double
12 homicide, sir. And I'd like you to look at the
13 page I have up there, which is the top of page 3.

14 MS. BONJEAN: Well, hold on. He's going to --
15 he's going to read the whole document since he's
16 not seen it. So just hang on for a second.

17 Go ahead. Start here and take your
18 time. Read it to your yourself; read it to
19 yourself.

20 MR. BRUEGGEN: I'm going to withdraw the
21 question and I will withdraw the exhibit, and we
22 can just talk about it. Okay?

23 MS. BONJEAN: Sure.

24 MR. BRUEGGEN: I'm not going to make

1 Mr. Maysonet read today.

2 MS. BONJEAN: Okay.

3 MR. BRUEGGEN: Or read -- read that much.

4 THE WITNESS: All right. Good.

5 BY MR. BRUEGGEN:

6 Q. Mr. Maysonet, prior to your arrest on
7 August 22nd, 1990, had you inhaled substantial
8 quantifies of cocaine for a sustained period of
9 time?

10 A. I don't do drugs.

11 Q. You don't do drugs; is that what you
12 said?

13 A. I don't do drugs.

14 Q. So you did not use any cocaine --

15 A. No, no --

16 Q. -- back in 1990?

17 A. I did smoke weed, though, but I don't
18 call marijuana a drug no more because that's legal,
19 so ...

20 Q. And back in -- on August 22nd, 1990,
21 did you ingest an unknown quantity of a
22 prescription drug lorazepam while in custody?

23 A. No, I didn't.

24 Q. You took the medication that -- your

1 mom's medication that you had taken in the past,
2 right?

3 A. Yes, took it.

4 Q. Do you remember what medication that
5 was?

6 A. I remember it was two small white
7 pills. I don't know the name.

8 Q. And do you recall what that medication
9 was for?

10 A. Supposed to -- to calm me down.

11 Q. So it was the medication that you had
12 taken at other times when you were getting nervous
13 or had a nervous episode?

14 A. When I get mad, I get nervous, though,
15 you know, when I get mad, I get angry. They wanted
16 me to calm down.

17 Q. And, sir, you told us that after Neil
18 Spector, you had Rick Beuke as your attorney; is
19 that right?

20 A. Correct.

21 Q. Did Rick Beuke speak Spanish?

22 A. No, he don't.

23 Q. Did you communicate with Rick Beuke in
24 English in some conversations you had with him at

1 the jail?

2 A. Yeah.

3 Q. So you did speak to Rick Beuke in
4 English?

5 A. A little bit.

6 Q. Little bit?

7 A. Yeah.

8 Q. Simple things?

9 A. Basic stuff.

10 Q. And did you tell Rick Beuke about your
11 interactions on August 22nd, 1990, with Detective
12 Guevara?

13 MS. BONJEAN: All right. I'm going to --

14 MR. BRUEGGEN: Privilege has been waived,
15 Jennifer, if that's where you were going.

16 MS. BONJEAN: Yeah, hold on. Let me think
17 for a second. I want to -- these are big -- these
18 are important things. I -- I don't necessarily
19 disagree. Give me two seconds.

20 (Brief pause.)

21 MS. BONJEAN: Okay. He can answer.

22 THE WITNESS: Can you repeat the question
23 again?

24 MR. BRUEGGEN: Yes. We'll have it read back.

1 Kathy, can you read that question
2 back, please?

3 (The record was read as follows:
4 Q. And did you tell Rick Beuke
5 about your interactions on
 August 22nd, 1990, with
 Detective Guevara?)

6 THE WITNESS: Yes, I did.

7 BY MR. BRUEGGEN:

8 Q. And did you tell him that Detective
9 Guevara beat you --

10 A. Yes.

11 Q. -- the whole time you were there until
12 you admitted to other people that were involved?

13 A. I did tell Beuke what happen to me that
14 day in the police station.

15 Q. Did you tell Beuke about your previous
16 relationship with Guevara and the agreement we
17 talked about earlier on in the dep?

18 MS. BONJEAN: You can answer.

19 THE WITNESS: Yes, I did.

20 BY MR. BRUEGGEN:

21 Q. And what did you tell Beuke about that
22 relationship?

23 A. I told him everything that I know.

24 Q. Did you tell Beuke that you had been

1 paying Rey Guevara?

2 A. Yeah. I told him everything.

3 Q. Did you tell Beuke that you had Rey
4 Guevara over for dinner?

5 A. I did tell him that, yeah.

6 Q. And did you tell Beuke that you
7 acquired girls for Rey Guevara?

8 A. Everything.

9 Q. And when you told him all that, did you
10 expect Beuke to use that information to help
11 support your case that Guevara had beat you?

12 A. I'm just letting him know what kind of
13 person that we're dealing with. I mean, whether he
14 can use that in court to defend me or not, that was
15 up to him. Only thing that I did, everything that
16 he -- you know, that he already advised me to.

17 That's about it.

18 Q. Did Rick Beuke ever tell you that he
19 had represented Guevara?

20 A. He never did.

21 Q. Did he tell you that he knew Detective
22 Guevara?

23 A. He familiar with him.

24 Q. And how did you get Rick Beuke's name

1 to represent you?

2 A. I was in -- I was in the Cook County
3 in -- in the dayroom when he came in the dayroom
4 one morning. And he -- he basically -- they --
5 they look for me, for my name. And we have a talk
6 after he came.

7 And basically, he -- he was sent to
8 somebody else, though, you know, for a friend of
9 mine. He -- he talked to him and he really came
10 and chat with me for a little bit, though, you
11 know. Then my friend, he knew that I needed a
12 lawyer bad, though, so he sent him, see for what he
13 can do.

14 And it happened it -- what we talk
15 about, you know, I told him I got to talk to my
16 family, I don't have no -- no income like that.
17 After, you know, we talk and my family talk to him,
18 and that's how he became to be my lawyer in the
19 case.

20 Q. So Beuke was referred to you by a
21 friend that you were incarcerated with?

22 A. Yeah. Referred by somebody, yeah.

23 Q. Who was what friend that you were
24 incarcerated with what referred Beuke to you?

1 A. It was a -- it was another inmate,
2 yeah.

3 Q. What was his name, sir?

4 A. I don't remember the name.

5 Q. Was this a friend that had been a Latin
6 King with you?

7 A. No, no. No, no. No Latin King.

8 Q. And how did you know this gentleman?

9 A. We was doing time in the same -- in the
10 same part of the jail in Cook County.

11 Q. Did you know him prior to your
12 incarceration at Cook County?

13 A. Yeah. I met him in -- when I was in
14 there, though.

15 Q. And while Rick Beuke was representing
16 you, do you remember talking to a psychiatrist,
17 Dr. Thampy?

18 A. No. I don't remember.

19 Q. Do you remember ever going and speaking
20 to a doctor relating to your defense in the
21 homicide case?

22 A. I did talk to the doctor on some part
23 in the Cook County. I think it was -- I thought it
24 was in the hospital in the Cook County. They took

1 me to some floor to see some psychiatrist, though.

2 Yes, I remember.

3 Q. And what did you talk to that
4 psychiatrist about?

5 A. He just wanted me to know if I know how
6 to speak English and stuff like what.

7 Q. And do you know what that
8 psychiatrist's findings were?

9 A. He was talking to me in Spanish,
10 though.

11 Q. Yeah.

12 Sir, and I -- I'm asking, you know,
13 do you know what he said his findings were as far
14 as your ability to speak English or anything like
15 that?

16 A. No, not really.

17 Q. Do you remember testifying for a motion
18 to suppress statements and quash your arrest in the
19 criminal court?

20 A. I remember.

21 Q. And you testified on examination by
22 Reuck- -- by Attorney Reuckert?

23 A. Reuckert.

24 Q. Did you retain Reuckert as your

1 attorney?

2 A. He work with Beuke, I believe.

3 Q. So Reuckert was helping Beuke out and
4 presented you for the motion to suppress?

5 MS. BONJEAN: Objection to the form,
6 foundation of that questions.

7 BY MR. BRUEGGEN:

8 Q. If you know, sir.

9 A. I think Beuke was in the hospital. He
10 was getting some kind of surgery. He was getting
11 his leg operated.

12 Q. Prior to testifying, did you talk to
13 Attorney Reuckert about what testimony you were to
14 give?

15 A. We -- we talk. We did our prep.

16 Q. Did you talk to your Attorney Reuckert
17 about all the -- the beatings that happened on
18 August 22nd, 1990 through August 23rd, 1990 by
19 Detective Guevara?

20 A. No, not Reuckert.

21 Q. Did you talk to Reuckert about your
22 prior relationship with Guevara and the agreement
23 you had to pay him money?

24 A. No, not Reuckert.

1 Q. What did you and Reuckert talk about in
2 preparation for your testimony on the motion to
3 suppress statements?

4 A. Just he gave me prep just like any --
5 any lawyer do with their client, though, so he
6 just -- I don't -- I don't hardly remember what we
7 talk about, but I know he was just -- you know,
8 about the case and stuff, I believe. But other
9 than that, you know, I don't remember any -- any
10 serious, hardcore conversation I had with him.

11 Q. And, sir, when you testified for your
12 motion to suppress, did you provide all of the
13 information you had about your interactions with --

14 MS. BONJEAN: Objection.

15 MR. BRUEGGEN: -- Detective Guevara?

16 MS. BONJEAN: Objection to the form of that
17 question. You know he can only answer questions
18 that are posed to him, so that's -- it's not like
19 he can go in and give a narrative.

20 BY MR. BRUEGGEN:

21 Q. Sir, you can answer the question.

22 MS. BONJEAN: Answer -- ask the question
23 again so -- please.

1 BY MR. BRUEGGEN:

2 Q. Sir, when you testified on the motion
3 to suppress, did you provide all the information
4 and your -- you knowledge about the alleged abuse
5 that you were asked about?

6 A. I don't remember. I don't remember.

7 MS. BONJEAN: Do you want him to look at --
8 look at the testimony?

9 THE WITNESS: Yeah.

10 BY MR. BRUEGGEN:

11 Q. Sir, would there be any reason why you
12 wouldn't testify fully in response to questions
13 about the abuse that allegedly happened to you on
14 August 22nd, 1990?

15 MS. BONJEAN: Objection to the form of that
16 question, foundation of that question. If you want
17 him to talk about the testimony he gave, I'm going
18 to ask that you provide it to him so he can have
19 some basis.

20 MR. BRUEGGEN: This is a different question,
21 Jennifer.

22 BY MR. BRUEGGEN:

23 Q. Sir, do you understand my question --

24 MS. BONJEAN: It's not a fair question.

1 But go ahead if you understand the
2 question.

3 THE WITNESS: Say the question again.

4 MR. BRUEGGEN: Why don't we have it read
5 back? Kathy, can you please read it back.

6 (The record was read as follows:
7 Q. Sir, would there be any
8 reason why you didn't testify
9 fully in response to questions
 about the abuse that allegedly
 happened to you on August 22nd,
 1990?)

10 MS. BONJEAN: If you understand.

11 THE WITNESS: I really don't understand the
12 question, though.

13 BY MR. BRUEGGEN:

14 Q. And, sir, you understood that you
15 testified at a motion to suppress trying to have
16 your statement thrown out? Do you understand that,
17 sir?

18 A. I remember testifying.

19 Q. And in doing that, you would want to
20 provide all the support for having your statement
21 thrown out, right?

22 MS. BONJEAN: Objection to form of that
23 question.

24 THE WITNESS: No.

1 BY MR. BRUEGGEN:

2 Q. You didn't want to provide all the
3 support?

4 MS. BONJEAN: Objection to the form of the
5 question.

6 Do you understand the question?

7 THE WITNESS: No, I don't. That's what I was
8 going to say. No, I don't understand.

9 BY MR. BRUEGGEN:

10 Q. Sir, when you were testifying, they
11 were asking you about the alleged abuse that
12 happened on August 22nd, 1990 to August 23rd, 1990,
13 did you provide -- did you want to provide all the
14 information in your knowledge that was responsive
15 to the questions that were posed to you?

16 A. I was trying to answer the question the
17 best possible that I can.

18 Q. And did you intentionally hold back any
19 information about the alleged abuse that happened
20 to you on August 22nd and August 23rd, 1990 when
21 you were asked about that abuse?

22 A. I did talk about the abuse in the
23 motion. I told the judge what the -- what the
24 police did to me.

1 Q. Yes, sir.

2 And -- and I'm asking did you tell
3 the judge everything the police did to you?

4 MS. BONJEAN: Objection to the form of that
5 question. Objection to the form of that question.

6 Give him his testimony if you want
7 him to answer that question. You're asking him to
8 remember testimony that was given over 30 years
9 ago.

10 THE WITNESS: I can't remember.

11 MS. ROSEN: I'm going to object to the
12 speaking objections that are designed to coach him.

13 MS. BONJEAN: They're not designed to coach
14 him. I -- you're -- you remember what you were
15 doing 30 years ago in great detail?

16 MS. ROSEN: He was asked a direct question
17 that he can answer.

18 MS. BONJEAN: No. He can't answer whether or
19 not he provided every detail from testimony he gave
20 30 years ago. Nobody could. It's unrealistic.

21 If you want to show him testimony,
22 then I'm sure he could answer those questions a
23 little better.

24 MR. BRUEGGEN: Jennifer, I'm just going to

1 move on.

2 BY MR. BRUEGGEN:

3 Q. So, Mr. Maysonet, were you aware that
4 your criminal codefendants gave statements that put
5 you at the scene of the double homicide?

6 A. Yeah, I remember.

7 Q. And were you aware that both Gonzalez
8 and Justino Cruz had said that they had gone to
9 your house the night of the shooting to obtain a
10 gun?

11 A. Yeah.

12 Q. And then Justino Cruz said that you
13 drove him and Gonzalez and Fro over near the scene
14 of the crime and waited in the car while Lluvia
15 Gonzalez shot the two men on North Avenue?

16 MS. BONJEAN: Wait. Objection. Who testi- --
17 who stated that?

18 MR. BRUEGGEN: Justino Cruz.

19 THE WITNESS: Tino.

20 I remember he was -- he said that in
21 the statement.

22 BY MR. BRUEGGEN:

23 Q. And do you remember that Gonzalez'
24 statement was different than Justino Cruz, and he

1 said that he was walking home when you, Tino, and
2 Fro picked up Gonzalez to give him a ride home? Do
3 you recall that?

4 A. I believe everybody statement was
5 different. Everybody had different story to say.
6 We all didn't say the same story.

7 Q. And, sir, do you recall Gonzalez said
8 that you were the one who did the actual shooting?

9 A. He was saying that I was the one. I
10 was saying that he was the one, and the other guy,
11 he was saying it was me and him. So, you know, it
12 was so confusing, the -- the whole statement.

13 Q. So the three of you were consistently
14 present in all three statements, it was just a
15 different matter of who was shooting who?

16 MS. BONJEAN: Objection to the form of -- of
17 that testimony.

18 THE WITNESS: I was like, you're good.

19 MR. BRUEGGEN: And, sir, let me rephrase.

20 BY MR. BRUEGGEN:

21 Q. So it was basically you had the three
22 statements from you, Tino, and Gonzalez that had
23 all three of you at the scene of the crime and
24 there was a difference of who actually pulled the

1 trigger on the gun. Is that your recollection?

2 A. What -- what the statement say, he say
3 all -- every statement, they were all saying
4 different story, though. So, I mean, there were no
5 consistent in -- in either of the statement,
6 though.

7 Q. So your recollection is there was no
8 consistency through the statements?

9 A. They were all lies. They were not --
10 you know, that's -- that's not the truth. That was
11 all what the police coach us to say.

12 Q. When did you first learn that Rosa
13 Bella had given a statement about the night of
14 the -- or the night before the murder happened in
15 the early morning hours?

16 A. I found out about that when the
17 discovery, the motion for discovery, it went
18 through. And -- and Beuke, he was just telling me,
19 you know, Oh, Rosa Bella, he -- he meant she talked
20 to the police. He didn't say nothing about the
21 statement. He did -- she did talk to the police.
22 What did she talk about, he -- he didn't want to --
23 basically he didn't want to say too much because
24 everything was under investigation, though.

1 But yeah, I found out later what --
2 you know, what the statement said, though, you
3 know, when the trial went on.

4 Q. Did Rosa Bella visit you when you were
5 first incarcerated in Cook County for the double
6 homicide?

7 A. Yes. She would -- she would go in and
8 visit me.

9 Q. Did she ever tell you that she gave the
10 police a handwritten statement?

11 A. She never said that.

12 Q. Sir, you were aware that Gonzalez went
13 to trial on the double homicide several years
14 before you did?

15 A. He did. He did went to trial first,
16 then me.

17 Q. And at trial, were you aware that
18 Mr. Gonzalez testified that you, he, and Tino Cruz
19 were all present on the night of the murder?

20 A. That's -- that's what Beuke told me.

21 Q. So Beuke told you about Gonz- -- what
22 Gonzalez testified to?

23 A. Yeah. He -- he did tell me that he
24 bury me alive with his testimony. That was just

1 exactly what he said.

2 Q. And do you know why Gonzalez did not
3 testify in your criminal trial?

4 MR. GREENBERG: Perjury.

5 THE WITNESS: I really don't know. I
6 really -- I really don't know why he didn't
7 testify, though.

8 BY MR. BRUEGGEN:

9 Q. Do you know why Tino, Justino Cruz, did
10 not testify in your criminal trial?

11 A. No, I did not.

12 Q. And do you know why Rosa Bella did not
13 testify in your criminal trial?

14 A. Everybody, that were lying, you know,
15 they didn't have nothing to say, though, so they
16 probably decide not to say nothing bad about me,
17 after everybody ...

18 Q. And, sir, for Mr. Gonzalez's trial,
19 were you aware that Tino had pled guilty to a
20 murder in exchange for testifying against Alfredo
21 Gonzalez?

22 A. Yeah. My lawyer -- my lawyer did -- he
23 did told me that. He made a deal, something like
24 that.

1 Q. And Justino Cruz testified at Alfredo
2 Gonzalez trial about Alfredo Gonzalez shooting the
3 two gentlemen while you were driving the car?

4 A. That's what they later told me, yeah.

5 Q. When you went to trial, you went to
6 trial at the same time as Chris Goosens, right?

7 A. We both went to trial the same -- the
8 same time.

9 Q. You elected to have a jury trial?

10 A. I'm hungry.

11 Huh?

12 Q. You elected to have a jury trial?

13 A. It was elect by, yeah, jury trial.

14 Q. And Chris Goosens took a bench trial
15 where the judge would decide, right.

16 A. Yeah. The -- the judge decide his
17 fate, yeah.

18 Q. Why did you decide to take a jury
19 trial?

20 MS. BONJEAN: Objection. That -- that -- I
21 mean, that -- I don't know why that isn't covered
22 by the attorney/client privilege, potentially.

23 You're saying we -- it's waived
24 there as well?

1 MR. BRUEGGEN: With Beuke I think it was
2 waived completely when you sued him. So that would
3 be my position. If you have a different position,
4 please feel free to say.

5 MS. BONJEAN: No. He can answer that.

6 Go ahead.

7 THE WITNESS: Repeat the question again.

8 MR. BRUEGGEN: Yeah.

9 BY MR. BRUEGGEN:

10 Q. Sir, can you tell me why you decided to
11 take a jury trial?

12 A. Everything that I was doing it was
13 under the judge -- the lawyer advice.

14 Q. So you just did whatever Beuke told you
15 to do?

16 A. Whatever he advise me to do, that's
17 what I do. He's the lawyer.

18 Q. Did you want to call any alibi
19 witnesses at trial?

20 A. I didn't have no -- I didn't have no
21 alibi witness only other than my family.

22 Q. And, sir, did -- wasn't this murder --
23 didn't it happen the night of visitation for
24 Santiago Sanchez?

1 MS. BONJEAN: Objection to the form of that
2 question. That's -- also mischaracterizing. He
3 has said repeatedly, and you know what he said, the
4 answer to the question was, where he was at the
5 time of the murder.

6 BY MR. BRUEGGEN:

7 Q. Okay. Sir, can you answer the
8 question?

9 And let me -- let me rephrase the
10 question because I want to make sure I'm specific.

11 That the murder happened the early
12 morning hours after the day that Santiago Sanchez's
13 visitation was?

14 MS. BONJEAN: Objection to the form of that
15 question.

16 THE WITNESS: I don't -- I don't remember.

17 BY MR. BRUEGGEN:

18 Q. And, sir, I think you told us before
19 that you were at home or you believe you were at
20 home at the time of this murder?

21 A. I was at home at the time of the
22 murder.

23 Q. And do you recall who you were at home
24 with?

1 A. I was at home with the kids and Rosa.

2 Q. So was there any reason you didn't call
3 Rosa as an alibi witness to say you were home the
4 night -- or the early morning hours that the double
5 murder happened?

6 A. I was acting under the lawyer advice,
7 though. Whatever the lawyer decide to do, you
8 know, that's what we do.

9 Q. Sir, did you participate in your
10 defense at all with Mr. Beuke?

11 MS. BONJEAN: Objection to the form of that
12 question.

13 | What do you mean "participate"?

14 BY MR. BRUEGGEN:

15 Q. You provided Beuke information about
16 your interrogation and where you were when the
17 murder happened?

18 A. I did tell him, yeah.

19 Q. And you understand what an alibi is,
20 right?

21 A. Alibi is a witness who happen to go
22 there on your behalf to talk to -- to the judge,
23 right? That's what an alibi, right? Witness?

24 Q. And so, sir, with that understanding,

1 would you have wanted Rosa Bella to come testify
2 that you were at home with her when the double
3 murder happened?

4 A. If Beuke didn't want her in the -- in
5 the case, you know, I don't know what to do. It
6 was his decision to do what he supposed to do. He
7 the one who defending me.

8 Remember, by the time that I had
9 lawyers and stuff, you know, I didn't -- I really
10 didn't know what to tell them, you know, how to
11 fight the case. I mean, only thing I do is give
12 him information for him to, you know, see what he
13 can do.

14 Q. Ultimately you were convicted of the
15 homicides of the Wiley brothers; is that right?

16 A. Yeah. I did got found guilty.

17 Q. And you were sentenced to natural life?

18 A. I got sentenced to natural life, yeah.
19 That's correct.

20 Q. You appealed your conviction?

21 A. I did.

22 Q. And that appeal was ultimately denied?

23 A. Several times.

24 Q. Do you recall that in about 1998 after

1 your appeal was denied, you filed a pro se petition
2 for post-conviction relief?

3 A. Yes, I did.

4 Q. And you filed that from at the prison?

5 A. Yes, I did.

6 Q. And, sir, I'm going to mark this as

7 **Exhibit 6** -- or, I'm sorry, 5. Because I think I
8 withdrew the last exhibit, right?

9 Kathy, do you know where we're at?
10 I'm sorry.

11 MS. BONJEAN: I don't, but ...

12 MR. BRUEGGEN: Well, let's mark it as
13 **Exhibit 6**. Either way.

14 And, Jennifer, this is the pro se
15 petition that was file-stamped May 3rd, 2006, and
16 it's Bates stamped MAYSONET 9048.

17 MS. BONJEAN: Okay. Let me see.

18 MR. BRUEGGEN: If you want to pull that out.
19 And I'm going to be very brief with it, so ...

20 MS. BONJEAN: Well, okay, we'll see.

21 BY MR. BRUEGGEN:

22 Q. Sir, let me share my screen with you
23 and show you what we'll mark as **Exhibit 6**.

24 You see a document up on the screen?

1 A. Yes.

2 Q. And do you see the caption there, it
3 says, People of the State of Illinois v. Jose
4 Maysonet?

5 A. AKA Juan Maysonet.

6 Q. Yeah.

7 You see that, sir?

8 A. Yes, I do.

9 Q. And I just want to take you to the
10 bottom of page six, which is Maysonet 9053.
11 There's a signature there.

12 A. Okay.

13 Q. You see that signature, sir?

14 A. Yes, sir.

15 Q. Is that your signature?

16 A. It is.

17 Q. And if you go down to the next page,
18 top of page 7, there's Affidavit. You see that?

19 A. Um-hmm. I see it.

20 Q. And can you read that to yourself
21 underneath Affidavit?

22 A. It says --

23 MS. BONJEAN: Read it to yourself; read it to
24 yourself.

1 BY MR. BRUEGGEN:

2 Q. Read it to yourself, sir. I just want
3 to make sure that you've seen it.

4 A. Okay.

5 Okay.

6 Q. And is that your signature below that
7 paragraph?

8 A. It is.

9 Q. And that paragraph says that, The
10 foregoing Petition For Postconviction Relief and
11 the facts contained therein are true to the best of
12 your knowledge, information, and belief?

13 A. Yes.

14 Q. When you filed that post-conviction
15 petition, did you set forth all the information and
16 arguments that you believed that were relevant to
17 your case and overturning your conviction?

18 MS. BONJEAN: Okay. Hold on.

19 Objection to the question; form,
20 foundation.

21 You can answer.

22 THE WITNESS: I didn't understand the form of
23 the question.

24 MR. BRUEGGEN: No -- no problem, sir.

1 BY MR. BRUEGGEN:

2 Q. So after your appeal was denied, you
3 filed a post-conviction petition for relief from
4 the judgment, right?

5 A. Yes.

6 Q. And in that you wanted to argue why you
7 thought you should be --

8 A. Relieved.

9 Q. -- out from underneath the judgment of
10 the homicide, right?

11 A. Yes.

12 Q. Did you make all the arguments you knew
13 about?

14 MS. BONJEAN: Okay. He -- he's going to have
15 to read this in order to answer that question.
16 Okay? So would you like him to read it.

17 MR. BRUEGGEN: No. I'll -- I'll just go to
18 the next ...

19 BY MR. BRUEGGEN:

20 Q. Sir, would there be any reason why you
21 wouldn't make all arguments you had after you had
22 been convicted of murder to try to get your murder
23 conviction tossed out?

24 MS. BONJEAN: Objection. He's not a lawyer,

1 but I don't -- I don't understand the question. I
2 mean, it calls for a legal -- a legal conclusion
3 that he cannot answer.

4 But answer to the best of your
5 ability.

6 THE WITNESS: Really I don't understand the
7 question, though. And I want to answer the
8 question, but I really don't understand the
9 question.

10 BY MR. BRUEGGEN:

11 Q. Sir, what I'm saying is --

12 A. Ask another way that I can understand.

13 Q. Okay. You filed, I think, several
14 post-conviction petitions?

15 A. Yes.

16 Q. And in those petitions, you were asking
17 the court to reverse your conviction for homicide?

18 A. Right.

19 Q. And so can you think of a reason why
20 you wouldn't make all arguments that you were aware
21 of in asking the court to throw out your homicide
22 conviction?

23 A. I'm not a lawyer, first. And I really
24 don't understand that language you guys talk. So I

1 don't know nothing about court, though, you know.
2 The only thing that I can just get somebody's help
3 and help me. You know, we -- you know, we got
4 people in jail that they call legal para, legal --
5 paralegal, whatever they call that. So ...

6 Q. And, sir, my question isn't necessarily
7 a fully legal one. It's if someone's -- if you
8 were convicted of something, wouldn't you want to
9 make any argument you could possibly think of to
10 try to reverse that conviction?

11 MS. BONJEAN: I'm going to object. It calls
12 for a legal conclusion about what would reverse a
13 conviction and what might not reverse a conviction.
14 So I think it's an inappropriate question. He's
15 answered it. He -- and it calls for speculation.

16 THE WITNESS: Well, I'm not a lawyer, so it
17 just -- I'm -- I'm trying to be truly honest with
18 the judge in a motion, so ...

19 BY MR. BRUEGGEN:

20 Q. No, sir, I understand that. I'm just
21 trying to figure out if there would be any reason
22 why you would not tell the court all the
23 information that you knew to try to get your
24 information in front of the court so that your

1 conviction could potentially be reversed.

2 MS. BONJEAN: Okay. Objection. Because
3 you're framing it in terms of getting a conviction
4 reversed. He's not a lawyer and he's answered
5 that's the reason why he might not do that. So I
6 don't know why you keep asking him that question.

7 MR. BRUEGGEN: I understand. I -- I will
8 move on.

9 BY MR. BRUEGGEN:

10 Q. Sir, was -- why you did you file
11 your -- what we've marked as Exhibit Number 6, the
12 pro se post-conviction petition? What was the
13 purpose of filing that?

14 MS. BONJEAN: Well, he's going to have to
15 look at it. Okay? Because there were multiple --
16 there were multiple petitions.

17 BY MR. BRUEGGEN:

18 Q. So, sir, let me start with the first
19 question: Do you remember filing your post-
20 conviction petition?

21 A. I remember filing it.

22 Q. And can you tell me without having to
23 review the whole petition why you filed it?

24 MS. BONJEAN: Hold on a second. You keep

1 saying 1998, though, right?

2 MR. BRUEGGEN: Yes. That's the -- it was
3 filed in 2006, but if you look at the dates, it's
4 dated 1998 for his affidavit and his sister's
5 affidavit.

6 MS. BONJEAN: Okay. So it's not filed until
7 May 3rd, 2006. I just want to make sure we're
8 talking about the same document.

9 MR. BRUEGGEN: Yes.

10 MS. BONJEAN: Okay. Did you ask why he filed
11 it?

12 MR. BRUEGGEN: I first asked if he recalls,
13 and I think he said yes. And then I asked if he
14 can recall why he filed it, without having to
15 review the entire postconviction petition.

16 THE WITNESS: I wanted to keep the case open.
17 I -- I really wanted -- I wanted to have someone to
18 have the chance and -- and fight it, though. I
19 really didn't want -- I didn't want to lose the --
20 you know, there's a period of time that you -- that
21 you got a put in some kind of petition in court,
22 though, so they don't -- I guess, you know, you
23 continue fighting it, though.

24 Only thing I'm trying to do is keep

1 the door open for the case so maybe, you know, one
2 day I'll get someone to fight the case. Basically
3 that's what I was trying to do.

4 MR. BRUEGGEN: And, sir, I'm going to switch
5 topics. Do you want to take a quick break? I'm
6 getting close to the --

7 MS. BONJEAN: How much time do we have on the
8 record?

9 We can take a two-minute break.
10 That'd be great because we just got coffee.

11 MR. BRUEGGEN: Okay.

12 THE VIDEOGRAPHER: We are at six hours and
13 four minutes.

14 MS. BONJEAN: Six hours and four minutes?

15 THE VIDEOGRAPHER: Yeah.

16 MS. BONJEAN: Okay. Thank you.

17 THE COURT REPORTER: All right. I need --
18 I'm taking five minutes.

19 MS. BONJEAN: Five minutes?

20 THE COURT REPORTER: Yeah.

21 MS. BONJEAN: Okay. No problem.

22 MS. ROSEN: Go for it.

23 THE VIDEOGRAPHER: We're off the video record
24 at 5:18.

(Recess taken.)

THE VIDEOGRAPHER: We're back on the video record at 5:28.

BY MR. BRUEGGEN:

Q. Mr. Maysonet, while you were incarcerated in the Cook County Jail, were you aware that someone threw a Molotov cocktail into your mother's apartment?

A. Yes.

Q. And what did you know about that incident?

A. That -- what my mother told me, though,
somebody tried to burn the building down.

Q. And do you know if that was any type of gang retaliation?

MS. BONJEAN: Objection to the form.

THE WITNESS: Yeah.

BY MR. BRUEGGEN:

Q. And who was the gang retaliation by?

A. My own people.

Q. You said your own people?

A. Yeah.

Q. The Latin Kings threw a Molotov cocktail in your mother's apartment?

1 A. Yes.

2 Q. And was that because you were -- you
3 had given up other Latin Kings?

4 MS. BONJEAN: Objection to the form of that
5 question.

6 If you know.

7 THE WITNESS: That's because I was messing
8 with Guevara.

9 BY MR. BRUEGGEN:

10 Q. So you believe that the Latin Kings
11 retaliated against your mom because you were
12 messing with Guevara?

13 A. Yes.

14 Q. And, sir, you told us earlier Rosa
15 Bella visited you while you were in jail, right?

16 A. Yes.

17 Q. Did Rosa Bella talk to you about when
18 she was almost run over by a gang member when she
19 was out with her children?

20 A. She did tell me that.

21 Q. And do you know what that was for?

22 A. The same.

23 Q. More retaliation by Latin Kings because
24 you were messing with Guevara?

1 A. Exactly.

2 Q. Sir, after your conviction, you were
3 incarcerated at the Joliet prison in Illinois for a
4 short period of time, right?

5 A. Yes, sir.

6 Q. And then you were transferred to
7 Stateville for several years?

8 A. Yes, sir.

9 Q. And then the rest of your incarceration
10 was at Pontiac or the Cook County Jail?

11 A. Pontiac and County Jail.

12 Q. While you were incarcerated, were you
13 ever subject to any discipline?

14 MS. BONJEAN: Objection to the form. By who?

15 BY MR. BRUEGGEN:

16 Q. Sir, let me withdraw that question and
17 rephrase.

18 While you were incarcerated, were
19 you ever subjected to any discipline by the
20 correctional officers?

21 A. I'll say whoever -- whoever never got
22 in trouble in there, though, with the police, it's
23 probably going to be angel. Because everybody get
24 at one point or other trouble with the police.

1 Q. And, sir, I don't know if you're
2 answering my question, but I was asking while you
3 were incarcerated in the Illinois Department of
4 Corrections, were you ever disciplined by the
5 Illinois Department of Corrections for violating
6 the rules of the Illinois Department of
7 Corrections?

8 A. Yes.

9 Q. For what things were you disciplined?

10 A. Just normal stuff, you know. Fighting,
11 weapon. No drug. That was --

12 Q. While -- I'm sorry. Go ahead.

13 A. No. That's -- that's about it.

14 Q. While in the Illinois Department of
15 Corrections, were you ever placed in segregation?

16 A. I did.

17 Q. And what -- why were you placed in
18 segregation?

19 A. For a violation of weapon.

20 Q. Did you possess a weapon?

21 A. I did.

22 Q. What kind of weapon did you possess?

23 A. A knife, sharpened knife.

24 Q. And so you were put into disciplinary

1 segregation?

2 A. They put you in the -- in disciplinary
3 segregation. That's if you lucky enough, because
4 they'll give you a case, but it was just seg.

5 Q. How long were you in disciplinary
6 segregation for having a knife?

7 A. For a whole year.

8 Q. And when was what?

9 A. I don't remember exactly the year,
10 though, but it happened when I was in Pontiac.

11 Q. Do you remember if it was closer to the
12 beginning of your time at Pontiac or closer to the
13 end?

14 A. No. It was just -- it was just way
15 before I even thought about me I was going to come
16 out and stuff.

17 Q. Sir, while you were in the Illinois
18 Department of Corrections, were you ever placed in
19 protective custody?

20 A. Yes, I was.

21 Q. When were you placed in protective
22 custody?

23 A. Once -- once that there was a chance
24 for me to fight the case, decide meditation and

1 leave population and go -- go to PC so I can -- I
2 can do the rest of the time or whatever time that I
3 was going to be there, you know, without no trouble
4 and see if I can get the blessing and go home.

5 Q. Did you request to be put in protective
6 custody?

7 A. Yes, I did.

8 Q. And what was the reason for you to be
9 put in protective custody that you provided to the
10 Illinois Department of Corrections?

11 A. I -- I told them that I wanted to leave
12 the gang, so there was no place for me to be out
13 here, though. So I needed to go into the -- to the
14 police protection custody so I can be protected by
15 the -- by my own gang.

16 Q. Okay. So you said you were leaving the
17 gang so that they would put you in protective
18 custody so your own gang wouldn't retaliate against
19 you; did I understand you correct?

20 A. Yes, sir.

21 Q. Did you, in fact, leave your gang at
22 that time?

23 A. I did.

24 Q. And was there any type of retaliation

1 that you were aware of?

2 A. Yeah, what happened to my mom, to my
3 family. That was more than the reason for me to,
4 you know, walk away from the gang.

5 Q. And, sir, the Molotov cocktail incident
6 was while you were at Cook County Jail, right?

7 A. Say that again.

8 Q. Let me strike that question.

9 Do you know of any other retaliation
10 against your mom or your sister or Rosa Bella other
11 than the Molotov cocktail or Rosa Bella almost
12 being run over?

13 A. Watch my back in jail, though, before
14 they put the hands on me. I knew they were going
15 to retaliate, though, but I never give them the
16 chance.

17 Q. While you were in Illinois Department
18 of Corrections, were you -- did you ever suffer an
19 injury that required medical care?

20 A. Yes.

21 Q. What kind of injuries did you suffer?

22 A. I got stabbed a number of time.

23 Q. Who stabbed you?

24 A. The opposite gang.

1 Q. And what gang was what?

2 A. I don't know what was the gang, but I
3 remember it was the opposite gang.

4 Q. So it was a rival of the Latin Kings?

5 A. It was a rival of Latin Kings.

6 Q. When did that stabbing occur?

7 A. It happened when I was in Cook County
8 fighting the case.

9 Q. So that was before your conviction?

10 A. Before I even went to trial.

11 Q. How about after trial after you were
12 convicted, any injuries in prison that required
13 medical care?

14 A. Yes. I was in the hospital for -- for
15 a little bit. I got stabbed real bad in my head.

16 Q. You got what real bad in your head?

17 A. I got a knife stuck in my head.

18 Q. You got stabbed in the back of the head
19 while you were in IDOC?

20 A. Yes.

21 Q. When did that occur, which facility
22 were you at?

23 A. That was in County Jail.

24 Q. Oh, that was -- that was in County Jail

1 as well. Okay.

2 What about after you got out of Cook
3 County Jail? I want to talk about the Illinois
4 Department of Corrections, either Joliet,
5 Stateville, or Pontiac. Any issues at those
6 places?

7 A. I got myself in trouble, though. I
8 went to PC just for the protection, though, you
9 know. I didn't -- really didn't want to have no
10 confrontation with the -- with my own gang.

11 Q. Once you were in protective custody,
12 did you not have any other issues with inmates?

13 A. No, I didn't. Well, you know, you
14 always going to -- you always going to find few
15 guys that they're not going to like you for
16 whatever the reason.

17 I mean, I look at them dumb because
18 they don't know me. So if you don't know me, you
19 happen to don't like me, though, you know, I mean,
20 does that make you smart?

21 Q. When you were in protective custody at
22 Illinois Department of Corrections, were you in a
23 cellblock with other inmates who were in protective
24 custody?

1 A. Yes.

2 Q. And you would interact with those
3 inmates, but not the general population?

4 A. I talk to everybody, whether you PC or
5 not.

6 Q. But in PC you're kept --

7 A. Not everybody in jail belong to gang,
8 though, so ...

9 Q. And, sir, it's my understanding that
10 when you're in protective custody, you're kept
11 separate from the general population; is that
12 right?

13 A. No.

14 Q. So when you were in protective custody,
15 you still interacted with the general population?

16 A. Yeah. You can talk to them. You can
17 see them.

18 Q. Prior to your arrest in this case, did
19 you suffer from any serious medical conditions?

20 A. No.

21 Q. And you told us about that prior to
22 this incarceration you had a nerve issue for which
23 you would take medication from time to time, right?

24 A. Yes.

1 Q. And that was just you would get anxious
2 or nervous and you would have to take a pill and
3 that would take care of it?

4 A. Yeah. I get excited. I get excited at
5 times.

6 Q. How long did you have that condition
7 prior to your arrest?

8 A. Since I was a kid, though.

9 Q. I think you told us at one time you
10 were prescribed medication for that condition?

11 A. Yes, I was.

12 Q. But then you lost your medical card and
13 you were no longer filling that prescription?

14 A. I just decide not to take it no more.

15 Q. How many medications did you take for
16 that?

17 A. How many medication did I take? I
18 only -- my medication, it was just one pill.

19 Q. Did you ever talk to a psychiatrist or
20 a psychologist about your nervous condition that
21 you had prior to your incarceration?

22 A. I did talk to them. I did talk to --
23 to the psych, though, you know, just to get some
24 medicine and stuff, though.

1 Q. Did you see the psychiatrist on a
2 regular basis to continue to prescribe the
3 medication for you?

4 A. No, no.

5 Q. What was the name of the psychiatrist
6 you spoke to?

7 MS. BONJEAN: Objection to the form.

8 THE WITNESS: That was long time ago. I
9 cannot even remember the name.

10 BY MR. BRUEGGEN:

11 Q. But prior to your incarceration at
12 issue here, you spoke to a psychiatrist about
13 getting medication for your anxious condition?

14 A. In the Cook County?

15 Q. No, no. Prior to your incarceration.

16 A. No. I didn't -- I did talk to the
17 psych, but not for medication, though.

18 MS. BONJEAN: He's saying before you were
19 arrested.

20 THE WITNESS: Oh, before I was arrested.

21 Yes, I did saw the psych. I did saw the psych.

22 BY MR. BRUEGGEN:

23 Q. You saw the psych and he prescribed the
24 medications for your nerves?

1 A. Yeah. When I was in the street, yes.

2 Q. Yeah.

3 Did you ever talk to a psychologist
4 about that condition?

5 A. In the street -- when I was in the
6 street, I was going to see one like once a month.

7 Q. Do you remember the name of that doctor
8 that you were seeing once a month?

9 A. Again, that was long time ago. I don't
10 remember -- I don't remember the name.

11 Q. Do you remember the period of time that
12 you were seeing a psychiatrist or psychologist once
13 a month, how long that lasted?

14 A. It probably lasted for a year, couple
15 years, something like that.

16 Q. And that was related to your nerves?

17 A. Yeah. My nerve condition, yeah.

18 Q. After you were arrested and
19 incarcerated in Cook County Jail, did you receive
20 any mental health treatment in Cook County Jail
21 after you were arrested for this incident?

22 A. No.

23 Q. While you were in the Illinois
24 Department of Corrections, did you receive any

1 mental health treatment for --

2 A. I did -- I didn't receive no mental
3 health treatment, but I did -- I did talk to the
4 psychiatrist, though, you know. Just to talk to
5 somebody, though, you know, just to make you feel
6 good.

7 Q. Did you take any medications as result
8 of talking to that person?

9 A. No, I didn't.

10 Q. Did you receive any type of mental
11 health medications while you were in jail or
12 prison?

13 A. No.

14 Q. Since you were released from prison,
15 have you sought any medical care for injuries that
16 you believe were related to being incarcerated?

17 A. When I got out of jail, I went to see
18 the doctor, though, basically, you know, for
19 physical check and stuff. But during that period
20 of time that I was going to see the doctor, she
21 started to notice something. And she ask me
22 question and I told, you know, how I was feeling,
23 and she basically diagnosed me with PTSD and I
24 started seeing the psych.

1 Q. Did she diagnose you with any medical
2 conditions, not mental health, but medical
3 conditions?

4 MS. BONJEAN: Objection to the form of that
5 question. Medical and mental health are the same.
6 Physical maybe, maybe that's the word you're
7 looking for.

8 MR. BRUEGGEN: I can use physical if that
9 would make it easier.

10 BY MR. BRUEGGEN:

11 Q. Sir, were you diagnosed with any
12 physical conditions as opposed to mental health
13 conditions?

14 A. No.

15 Q. And do you have any physical conditions
16 now?

17 A. Yeah. I'm old. My bone hurting, my
18 back, everything.

19 Q. Other than just getting older and,
20 you know, some wear, do you have any medical
21 conditions, and physical medical conditions, for
22 which you're seeking treatments?

23 A. You know, I be lying to you if I told
24 you yes or no, so I'm going to be honest with you.

1 I haven't seen the doctor for past few years. I
2 don't got insurance. I don't got nothing. So I
3 really don't -- I don't got no answer for that
4 question, though. I might be -- I might got
5 something that I don't know and that I might be
6 sitting here dying and I don't know. I lost a lot
7 of weight. I weighed 270 pounds. Look how much I
8 weigh now, 170 pounds.

9 Q. When was the last time you saw a
10 doctor, sir?

11 MS. BONJEAN: You mean a medical doctor -- I
12 mean a physical medical doctor or a mental health
13 doctor?

14 MR. BRUEGGEN: I'm just saying -- he said he
15 hasn't seen a doctor in years. I'm just clarifying
16 what he meant by that.

17 BY MR. BRUEGGEN:

18 Q. When was the last time you saw a
19 doctor, whether medical or mental health?

20 A. Both be probably couple years now.

21 Q. Like 2019?

22 A. Yes. About 2019.

23 Q. Are you taking any medications now?

24 A. The only medication that I take is --

1 is what I smoke. Weed, that's my medication. I
2 don't take no medication.

3 Q. Do you have a --

4 A. Bad, do you bad. Medication going to
5 make me puke, to hurt myself.

6 Q. Do you have a medical marijuana card?

7 A. No. I will soon.

8 Q. You're in the process of trying to get
9 your medical marijuana card?

10 A. I'm not in a hurry, so ...

11 Q. I'm sorry, sir. I didn't understand
12 you.

13 A. No, I'm not in a hurry to get one, but
14 yes, I will be in the process pretty soon to get
15 one.

16 Q. And what is the basis for you wanting
17 to get your medical marijuana card?

18 A. PTSD. I don't eat. I don't -- I don't
19 sleep sometime. I get angry. I be always watching
20 through the window late at night or walking down --
21 walking down the street by myself in the middle of
22 the night, wandering everywhere.

23 Q. Did any mental health physician or
24 psychologist tell you that you should get your

1 medical marijuana card to treat PTSD?

2 A. I talk about it, but only thing they
3 do, they refer me to somebody. But if -- like the
4 doctor said, though, you know, they got -- they not
5 advising me to change medicine for cannabis, but
6 if -- if it work for me, they say it's okay, you go
7 ahead and do it, though, you know.

8 They agree with the scientific
9 community that I should -- I should do the same
10 what other people do. Because they were afraid --
11 I think they were afraid that, you know, I might
12 hurt myself, so -- the medicine was bad. It -- no
13 medicine for me.

14 Q. Sir, after you got out of prison, did
15 you suffer from nightmares?

16 A. Yes.

17 Q. How long did you suffer from
18 nightmares?

19 A. I still suffer from nightmares.

20 Q. How often do you have nightmares?

21 A. When my mom, she said that I'll be
22 screaming down in my room, she will tell me, you
23 know, What were you dreaming about? So basically
24 every -- every other -- every other night, you

1 know. When I feel relax and I sleep good, I sleep
2 good, though, you know, but when I go to bed
3 thinking especially nonsense stuff, though, you
4 know. It's how PTSD work, though. You know, you
5 get sad, depressed, you know, maybe you find
6 yourself in the room crying --

7 Q. Were you --

8 A. -- for no reason.

9 Q. Were you taking medications for a
10 diagnosis of PTSD at one point?

11 A. Yes.

12 Q. And did those medications help with the
13 symptoms you had?

14 A. No. They got worse.

15 Q. Does smoking marijuana help with your
16 symptoms of PTSD?

17 A. Yeah, they do.

18 Q. But you still have symptoms?

19 A. I still have symptoms, but it -- you
20 know, PTSD will never going to go away, you know.
21 That's not cured disease, though. So only thing
22 you can do is just, you know, find a way to relax.

23 Q. And, sir, has your mental health
24 condition, do you think it's improved since you got

1 out of prison to the present?

2 MS. BONJEAN: I'm going to object to the form
3 to the extent that -- improved from when, I guess.

4 You mean since he was in prison?

5 BY MR. BRUEGGEN:

6 Q. And, sir, I'm talking about from the
7 time you were released from prison until the
8 present, has your mental health, your outlook on
9 life, has is gotten better?

10 A. Not -- not really.

11 Q. Has it gotten worse?

12 A. You see how thin I am?

13 Q. Being thin is not a bad thing.

14 A. Well, for some people I look good,
15 though. It's just I don't eat. I don't sleep. It
16 just -- I just think what happened, you know. You
17 just -- it's just like a switch that I got to learn
18 how to turn off in my head. It got worse, yeah.

19 Q. After you were released from prison,
20 did you start taking GED classes?

21 A. Yes.

22 Q. Did you get your GED?

23 A. No.

24 Q. What happened with those classes?

1 A. Whether I continue school or get a job
2 or go back to the streets and sell drugs again just
3 to survive myself, I rather go and work and forget
4 about everything else, though, you know, and do
5 better, try to do better.

6 Q. Have you seen Rosa Bella since you've
7 been released from prison?

8 A. No.

9 Q. Have you spoken to her?

10 A. No.

11 Q. Have you mentioned her on any social
12 media?

13 A. No.

14 Q. Have you seen your son since you were
15 released from prison?

16 A. I saw him on -- you know, on the phone
17 when we talk on video chat. Other than that,
18 though, I haven't -- I haven't touch him
19 physically. I haven't been with him physically,
20 though, not yet.

21 Q. When was the last time you had a video
22 chat with your son?

23 A. The 13, April 13.

24 Q. Oh, so just several days ago.

1 A. Yeah. His birthday.

2 Q. How often do you video chat with him?

3 A. On and off when there's a chance. Most
4 of the time I go to sleep early, so when people
5 call me, you know, the phone off. So when I go and
6 call them, their phone is off. So whenever, you
7 know, we have the chance to chat, we -- we just
8 take advantage of it and enjoy ourselves.

9 Q. Sir, earlier you told us about you were
10 in a serious relationship with a girl since you've
11 been released from prison?

12 A. Yes, I was.

13 Q. How long were you in that relationship?

14 A. I'd probably say almost a year.

15 Q. What was the name of that woman you
16 were in a relationship with?

17 A. Sara Caceres.

18 Q. How did you meet Sara?

19 A. I met her through -- you know, through
20 meetings and stuff like that in church.

21 Q. When did you break up with Sara?

22 A. I'll say couple years ago.

23 Q. Why did you and Sara break up?

24 A. I guess, you know, too rough. I'm not

1 a man to be in a relationship anyway. Too rough,
2 too rough. She was too -- too jealous.

3 Q. She was too jealous, did you say?

4 A. Yeah. She argued too much.

5 Q. She argued too much? Is that -- I'm
6 sorry.

7 A. Yes.

8 Q. So she would argue with you too much?

9 A. Yes.

10 Q. Is that why you broke up with her?

11 A. Yes.

12 MS. BONJEAN: Objection to the form.

13 But go ahead.

14 THE WITNESS: Yes. We broke up, you know.

15 We just -- I rather be friend with her than, you
16 know, be serious with her. I think it didn't work,
17 our relationship is not going to work out.

18 BY MR. BRUEGGEN:

19 Q. Are you still friends with her today?

20 A. No.

21 Q. Why aren't you friends with her?

22 MS. BONJEAN: Objection to the form.

23 THE WITNESS: She -- she doesn't want to be
24 friend, so I'm not going to force it, though, you

1 know. I mean, if you don't want to be with
2 someone, not going to be with someone.

3 BY MR. BRUEGGEN:

4 Q. Did she accuse you of domestic
5 violence?

6 A. Yes, she did.

7 Q. What did she allege you did?

8 MS. BONJEAN: Objection to the form.

9 If you know.

10 BY MR. BRUEGGEN:

11 Q. If you know, sir.

12 A. She accused me of me I believe slapping
13 her, pushing her. I never did that, though. She
14 just -- that was just a lie, you know, just -- just
15 to -- how can I say? To go back to -- to make me
16 go back with her, basically. That's what she
17 wanted to do, though, you know. If I don't go back
18 with her, she was going to -- she was going to
19 start messing with me.

20 MS. BONJEAN: Just answer the question.

21 BY MR. BRUEGGEN:

22 Q. Okay. So you had broken up with her
23 prior to her accusing you of domestic violence?

24 A. Yes.

1 Q. And you believe that she accused you of
2 domestic violence so that you would come back to
3 her in a relationship?

4 A. Yeah. It was just a form to give me
5 to, you know, try to bring me back. You know, for
6 me to say, Oh, okay, I'm sorry, though, you know,
7 I'll go back with you, I won't leave you, though.
8 But it didn't work out like that anyway.

9 Q. Did you get into a verbal altercation
10 with her on the day she alleged you committed
11 domestic violence?

12 A. We got into -- well, she got into a
13 verbal argument with me all because Facebook.

14 Q. And what was her concern about
15 Facebook?

16 A. A female, you know.

17 Q. What do you mean "a female"?

18 A. Well, it's just that, you know, I'm a
19 DJ and sometime, you know, I get some of the --
20 some of the female friend, you know, on -- on
21 Facebook and just start making, you know, like good
22 comments and stuff, though, and talking a little
23 bit more, you know, attracted to me. She get
24 jealous, but I keep telling her, you know, I

1 don't -- I don't have no -- I don't have no feeling
2 with -- no relation with some -- with nobody. Just
3 I'm entertaining myself, though. But she think
4 otherwise, that I was just messing around and doing
5 this or -- she get mad all the time.

6 And besides, though, you know, me --
7 she -- I think she -- she was crazy. I'm going to
8 say that. Because she -- there's something sick
9 about her that up here not right, though. She --
10 she got a disease, though. I think she had cancer
11 too.

12 Q. But you had been in a relationship with
13 her for about a year prior to this?

14 A. Almost a year, yeah.

15 Q. And as a result of her accusing you of
16 domestic violence, were you incarcerated?

17 A. That's when she got me arrested.

18 MS. BONJEAN: Okay. Wait. Object -- I'm
19 sorry. Objection to the form of that question. As
20 a result of this arrest, was he incarcerated?

21 MR. BRUEGGEN: As a result of her accusing
22 him of domestic violence, was he arrested and
23 incarcerated.

24 MS. BONJEAN: Okay. Those are two different

1 questions. It's a compound question. I'm going to
2 object to the form.

3 BY MR. BRUEGGEN:

4 Q. Start with the first one.

5 Sir, as a result of her accusing you
6 of domestic violence, were you arrested?

7 A. I was arrested.

8 Q. And as a result of that arrest, were
9 you incarcerated?

10 A. No.

11 Q. No, you were not incarcerated?

12 MS. BONJEAN: Well, I'm going to object to
13 the extent that incarceration means that he served
14 a sentence as a result of a conviction of that.

15 BY MR. BRUEGGEN:

16 Q. Sir, as a result of your arrest, were
17 you sent to Cook County Jail?

18 A. Of course, yeah. If you get arrested,
19 you're going to go to County Jail, yeah.

20 Q. And after that arrest, were you also
21 then sent to the Illinois Department of
22 Corrections?

23 A. Yes, I was.

24 Q. How long were you in custody -- strike

1 that.

2 How long were you incarcerated after
3 that arrest?

4 A. I'll say probably about a month, about
5 a month.

6 Q. And that time was spent both at Cook
7 County Jail and in the Illinois Department of
8 Corrections?

9 A. When I got -- when I got at Cook County
10 Jail because I was in parole, I was in house
11 arrest, I believe, the Department of Correction,
12 they -- they send me to state, back to state prison
13 due to the parole hearing. So basically I was -- I
14 was a parole violator.

15 Q. Okay. So as a result of being accused
16 of domestic violence, they thought you had violated
17 your parole and sent you back to prison?

18 A. Yeah.

19 Q. And eventually you got out of prison?

20 A. I did get out of prison.

21 Q. And were you subsequently arrested on
22 another occasion in relation to your former
23 girlfriend?

24 A. I got arrested a second time.

1 Q. Was that for violating an order of
2 protection she had taken out against you?

3 A. Yeah. It was just violating protection
4 order.

5 Q. How long were you incarcerated on that
6 time?

7 A. Not long.

8 Q. Couple days?

9 A. Not even 24 hours.

10 Q. What happened with your domestic
11 violence charge and the violation of the order of
12 protection?

13 A. It got thrown away.

14 MR. GREENBERG: Your lawyer beat that.

15 THE WITNESS: My lawyer beat it.

16 MR. BRUEGGEN: Sir, those are all the
17 questions I have, but there's some other attorneys
18 that may have some questions. I'll look at my
19 notes.

20 Thank you very much for your time.
21 I appreciate your patience.

22 And maybe we can take just a very
23 quick break so that the other attorneys can get
24 organized.

1 MS. BONJEAN: Yeah. Can we get -- can we get
2 time? Where we at?

3 THE VIDEOGRAPHER: We're at 6 hours,
4 33 minutes.

5 And we are off the video record at
6 5:57.

7 (Recess taken.)

8 THE VIDEOGRAPHER: We're back on the video
9 record at 6:08.

10 MS. BONJEAN: Whoever's trying to talk is on
11 mute.

12 MR. BRUEGGEN: Bob, are you trying to talk?
13 I can't hear you.

14 MR. SHANNON: Can you hear me now?

15 MR. BRUEGGEN: Yeah, I can hear you now,
16 barely.

17 MR. SHANNON: Jennifer, did you -- did you
18 hear my comments before we went on the record about
19 how much time I have?

20 MS. BONJEAN: I heard nothing. You were
21 talking into the abyss.

22 MR. SHANNON: Okay. I'm sorry. Can we go
23 off the record for a minute, please?

24 MS. BONJEAN: No. Put -- you can put it on

1 the record.

2 MR. SHANNON: Well, why -- let's go off the
3 record real quick and then we can put it on the
4 record.

5 MS. BONJEAN: Okay.

6 MR. SHANNON: I have about one hour.

7 THE VIDEOGRAPHER: Hang on. I have to
8 announce it.

9 We are off the video record at 6:09.

10 (Discussion off the record.)

11 THE VIDEOGRAPHER: Okay. We are back on the
12 video record at 6:12 at the beginning of Media
13 Unit 7.

14 MR. SHANNON: For the record, Bob Shannon,
15 counsel for DiFranco. And plaintiff's counsel and
16 I had a discussion off the record. I've indicated
17 that I have at least an hour of questioning that I
18 believe that I'm entitled to. And, if necessary,
19 she and I can place more information on the record
20 if it becomes necessary or relevant.

21 In the meantime, I'm going to start
22 my questioning. Okay, Jennifer?

23 MS. BONJEAN: Yes. Go right ahead.

1 EXAMINATION

2 BY MR. SHANNON:

3 Q. Okay. Mr. Maysonet, hello.

4 Drawing your attention to
5 August 23rd, I'm going to be asking you some
6 questions about ASA DiFranco. I believe that you
7 referred to him in your answers as the male state's
8 attorney or the -- the male ASA; is that right?

9 A. Right.

10 Q. Okay. So when I -- when I ask you
11 questions about the male state's attorney, you'll
12 understand that we're talking about Mr. DiFranco;
13 is that fair?

14 A. That's fair.

15 Q. Okay. On August 23rd of 1990, was that
16 the first time that you had ever met the male ASA?

17 A. Yes, I did.

18 Q. And do you know whether or not the male
19 state's attorney spoke with any detectives on
20 August 23rd?

21 MS. BONJEAN: Objection to the form.

22 MR. SHANNON: I'll rephrase. Strike --
23 strike it.

1 BY MR. SHANNON:

2 Q. Do you know if before speaking to you
3 on August 23rd, the male ASA had any conversations
4 with any of the Area 5 detectives?

5 MS. BONJEAN: Objection to the form,
6 foundation.

7 You can answer.

8 THE WITNESS: I was in the room all the time.
9 I really don't know what other conversation
10 happened on the other side of the wall.

11 BY MR. SHANNON:

12 Q. Do you know whether the male ASA spoke
13 with the female ASA on August 23rd?

14 A. No.

15 MS. BONJEAN: Hold on.

16 Objection; form, foundation.

17 Go ahead.

18 THE WITNESS: No.

19 By MR. SHANNON:

20 Q. You testified that you had given the
21 names Lluvia, Tina, and Fro to the detectives,
22 correct?

23 A. Lluvia and Tino, not Tina.

24 Q. I'm sorry. Tino.

1 A. And Lluvia.

2 Q. You provided those names to the
3 detectives; is that correct?

4 A. Yes.

5 MS. BONJEAN: Objection to form,
6 mischaracterizes his testimony.

7 Go ahead.

8 THE WITNESS: Yes, I did.

9 BY MR. SHANNON:

10 Q. Which detective did you say that you
11 provided those names to?

12 A. Guevara.

13 Q. Okay. You did not provide those names
14 to the male ASA, correct?

15 A. No.

16 Q. And according to your testimony, you
17 agreed to provide the false story to the detectives
18 before you ever met with male ASA on August 23rd,
19 correct?

20 A. Correct.

21 Q. Okay. And the male ASA never laid
22 hands on you, correct?

23 A. Correct.

24 Q. And the male ASA never saw anyone else

1 beating or laying hands on you, correct?

2 MS. BONJEAN: Objection to the form of
3 question, speculative.

4 Also, if you intend to lead him
5 through this entire examination, I will -- I'm
6 not -- if for some reason you want to use it at
7 some later point, I will object. I'm just letting
8 you know.

9 MR. SHANNON: He's -- he's not my witness.

10 MS. BONJEAN: Exactly. He's not your -- I
11 understand that, but you are leading him through
12 it. If you're -- you're going to try to use his
13 testimony if -- for any reason other than for --
14 and it sounds like you're trying to make him your
15 witness a little bit. Sorry.

16 MR. SHANNON: Jennifer, now you're trying to
17 waste my time and I'm trying to be quick here.

18 Okay?

19 MS. BONJEAN: Okay. You're trying -- you are
20 trying to make my client your witness. Letting you
21 know that, but go ahead.

22 BY MR. SHANNON:

23 Q. My question was: Do you have any
24 information that the male ASA ever observed you

1 being physically beaten by any of the detectives?

2 MS. BONJEAN: Objection to form and
3 foundation.

4 THE WITNESS: No.

5 BY MR. SHANNON:

6 Q. It's your testimony that you told the
7 male ASA that you had been beaten?

8 A. Yes, I did.

9 Q. All right. What exactly did you say?

10 A. I told him the officer, he -- he beat me up. He -- he wanted -- he wanted me -- he was
11 forcing me to talk about something that I don't
12 have no knowledge to.

14 Q. Okay. And who was present for that
15 conversation besides you and the male ASA?

16 A. When I talk to the male ASA, Guevara,
17 he was there, Montilla, Mingey, and some other
18 officer too.

19 Q. So when you told the male ASA that you
20 had been beaten by the detective, all four of those
21 Area 5 detectives were present?

22 A. When I told the DA, Mr. DiFranco, yes.
23 Yes, they were present.

24 Q. Okay. And how did you -- how did you

1 communicate that to DiFranco, in Spanish or
2 English?

3 A. Through Montilla. He's -- he served me
4 as interpreter to communicate with DiFranco.

5 Q. Okay. So let me make sure I'm clear
6 how this worked.

7 You in Spanish told Montilla that
8 you had been beaten by the detective and then you
9 had Montilla interpret that to DiFranco in English?

10 MS. BONJEAN: I'm going to object to the
11 form. He had Montilla? I'm objecting to the form
12 of that question. He --

13 MR. SHANNON: I'll strike. I'll rephrase.

14 BY MR. SHANNON:

15 Q. Is it your testimony that during that
16 conversation you told Montilla in Spanish that you
17 had been beaten by the detective and then observed
18 Montilla translate that to DiFranco in English?

19 A. To be frankly honest, what I was
20 telling him, I don't know if that quite the same
21 story that he was telling back to DiFranco, but I
22 did told -- I'm telling you what I told Montilla.
23 Anything that he told him that I don't understand,
24 I cannot tell you.

1 Q. So you don't know -- you don't know
2 exactly what was said to DiFranco in English,
3 correct?

4 A. Correct.

5 Q. Okay. And besides -- besides -- strike
6 that.

7 And besides what you told Montilla,
8 you have no other information as to whether
9 DiFranco was made aware of the fact that you had
10 been physically beaten, correct?

11 A. Correct.

12 Q. When was the first time, if at all,
13 that you reported that you had -- strike that.
14 I'll move on.

15 How many times, sir, did you speak
16 with the male ASA on August 23rd? How many
17 separate interviews or meetings did you have with
18 the male ASA?

19 MS. BONJEAN: Objection to the form of that
20 question.

21 Go ahead.

22 THE WITNESS: Only -- I probably -- he only
23 came and saw me twice when I was in the -- in
24 the -- in the interview room or interrogation room.

1 I didn't saw him no more after, you know, I agreed
2 with Guevara to say, you know, what he want me to
3 say. That's when a few minutes later I got
4 transferred from that room to another bigger room
5 where DiFranco was sitting right there in the
6 middle of the table and the court reporter was
7 sitting next to him.

8 BY MR. SHANNON:

9 Q. Okay. And -- and the male ASA was
10 there, as far as you understood, to take a
11 statement as a lawyer, correct?

12 A. Correct.

13 Q. The male ASA wasn't present for the
14 conversation that you just testified about that you
15 had with Guevara, correct?

16 MS. BONJEAN: Objection to the form of that
17 question, foundation of that question. He -- and
18 it mischaracterizes his testimony already.

19 But go ahead.

20 BY MR. SHANNON:

21 Q. You can answer if you can, please.

22 A. No, I don't -- I don't -- I don't -- I
23 don't think he was there witness Guevara putting
24 hands on me, no. Talking to Guevara about, you

1 know, what Guevara want me to say, though, no, he
2 was not there.

3 Q. Okay. And of the two meetings that you
4 had with the male ASA, focusing on the first one,
5 how long did it last?

6 A. You talking about the female now? Are
7 you talking about the female now or are you just
8 talking about the male?

9 Q. I'm sorry, sir. Could -- well, why
10 don't I ask the question and then see if you can
11 answer that. Okay?

12 If there's a question pending, I'll
13 strike it and I will -- I'll withdraw that. I'll
14 ask a new question.

15 You testified that there were two
16 meetings that you had with the male ASA. On -- on
17 the first meeting that you had with the male ASA,
18 who was present?

19 A. Everybody was present.

20 Q. And what did you say during that
21 meeting?

22 MS. BONJEAN: Objection to the form of that
23 question.

24 THE WITNESS: They just wanted me to speak in

1 English. They thought that I know how to speak
2 fluent English, though. And when they try, we --
3 then everybody, obviously, they changed their mind.

4 So that's when Montilla say, Ah, we
5 going to do this in Spanish, though. I will be the
6 one that I'm going to be translating everything
7 that you say to them to the court reporter.

8 And he just ask the question,
9 though. You know, everything was written down on
10 the paper, so it was easy for them, you know,
11 course me through it.

12 BY MR. SHANNON:

13 Q. So was the first meeting, sir, the
14 meeting where the court reporter was present?

15 A. The first meeting was there when
16 they --

17 Q. I should be clearer.

18 The first meeting with the male ASA
19 was the meeting when the court reporter was
20 present; is that right?

21 MS. BONJEAN: Objection. That
22 mischaracterizes his testimony. He --

23 MR. SHANNON: I'm asking a question.

24 Did you get the answer, Madame Court

1 Reporter?

2 THE COURT REPORTER: I didn't. I did not get
3 an answer.

4 THE WITNESS: I say everybody was there.

5 BY MR. BRUEGGEN:

6 Q. Including the court reporter?

7 A. For the first time.

8 MS. BONJEAN: The first time with the male --

9 MR. SHANNON: No, no. Jennifer, you cannot
10 coach the witness.

11 MS. BONJEAN: I'm not coaching.

12 THE WITNESS: All right. Say the question
13 again.

14 MS. BONJEAN: You're not going to take
15 advantage and -- you're not going to take
16 advantage.

17 MR. SHANNON: Then why did he turn and look
18 at you?

19 MS. BONJEAN: Why? Because you are asking
20 terrible questions. It's like you've never taken a
21 deposition before. So -- and he -- he is miss --
22 you need to not try to trick him. So ask -- ask an
23 appropriate question. He's -- and don't keep
24 asking the same question to get a different answer,

1 which is what you're trying to do.

2 BY MR. SHANNON:

3 Q. Mr. Maysonet, you testified that the
4 first meeting that you had with everyone and the
5 ASA was the meeting where the court reporter was
6 present, correct?

7 MS. BONJEAN: Objection. No, he never
8 testified to that and I'm not going to allow you to
9 mischaracterize.

10 MR. SHANNON: You have to let him answer the
11 questions.

12 MS. BONJEAN: No. That is -- you can't --
13 no. I will -- I will pull him right now if you are
14 going to tell him things he has said that he never
15 said, or you ask that court reporter to read it
16 back and prove me wrong.

17 So start playing fair and I will let
18 you answer your -- ask your questions.

19 MR. SHANNON: Your objection is noted.

20 BY MR. SHANNON:

21 Q. Can you answer the question?

22 A. I don't -- I don't remember.

23 Q. Was the court reporter present during
24 the meeting that you had with ASA DiFranco and

1 everyone?

2 MS. BONJEAN: Objection to the foundation and
3 form of that question.

4 BY MR. SHANNON:

5 Q. Can you answer that?

6 A. I don't -- I don't remember if the
7 court reporter was in the -- in the room. I do
8 remember the police that were there, the -- the
9 detectives and DiFranco.

10 Q. And during the second meeting that you
11 had with the male ASA, who was present for that
12 meeting?

13 A. DiFranco was there; Guevara; Montilla;
14 Mingey; the court reporter, it was a fat guy,
15 Caucasian guy; and some other officer there too
16 that I don't know they names.

17 Q. Okay. And, sir, let me clear up for
18 the record. I'm jumping back to the first meeting.

19 When you said everyone was there,
20 can you tell -- tell us who is "everyone"? Who do
21 you mean by "everyone"?

22 A. Guevara, DiFranco, Montilla, Mingey,
23 and some other officer too. You know, I don't know
24 the name.

1 Q. How many officers in total?

2 A. There were quite a few officers in
3 there. I'm not going to tell you no numbers
4 because I can't remember. I don't want to lie to
5 you, but I'll -- I will tell you this, there were
6 quite a few officers in there.

7 Q. Okay. You don't have to like me,
8 that's fine.

9 Were there more than --

10 A. No, no. I didn't say like you. I said
11 I don't want to lie to you.

12 Q. Oh, I see.

13 A. You misunderstood me. Sorry.

14 Q. Were there more than four officers?

15 A. There were -- there were few -- quite a
16 few officers there, though, that I didn't know
17 their name, though.

18 But I know Minge was there,
19 Montilla was there, Guevara was there. The ones
20 that I know by name, they were there. DiFranco was
21 there. The court reporter was there; I don't know
22 his name. And some other officer, though, but I
23 don't know their name.

24 Q. Okay. Sir, in total, if you can,

1 how -- how many minutes did you spend talking to
2 the male ASA on -- on August 23rd?

3 A. Don't recall how many minute.

4 Q. And how much time was there between the
5 first meeting with the male ASA and the second
6 meeting with the male ASA?

7 A. Don't -- don't -- don't remember how
8 long we -- it took.

9 Q. Did the male ASA read you your rights
10 during one of those meetings?

11 A. I guess he did.

12 Q. I'm sorry?

13 A. I said I guess he did.

14 Q. Well, do you remember that?

15 A. Well, I don't understand what he was
16 saying. I don't -- I didn't speak English that
17 well.

18 Q. Do you remember him advising you of
19 your rights?

20 A. I remember Montilla saying something
21 about -- and I can even say that now in English
22 because I can speak it even better, though. But I
23 remember saying that I got the right to remain
24 silent, anything that I say it could be used in a

1 court of law against me, and all that kind of
2 stuff, in Spanish.

3 Q. Sir, can -- can I refer you to
4 Exhibit -- I think it's been marked as Maysonet
5 Deposition Exhibit 3. It's your -- it's your
6 typed -- or written statement with the court
7 reporter.

8 And I believe you testified that
9 this statement is false?

10 A. Yes.

11 Q. All right. And did -- are you in a
12 position to indicate whether there's any part in
13 this statement that is true?

14 A. There's nothing true in there.

15 MS. BONJEAN: All right. You're going to
16 have to let him read the statement if you're going
17 to ask specific questions about that.

18 MR. SHANNON: Okay. And did you get the
19 answer, Madame Court Reporter?

20 THE COURT REPORTER: (Nodding.)

21 MS. BONJEAN: He's going to look at it. He's
22 going to look through the statement, so just hang
23 tight.

24 Read it.

1 MR. SHANNON: Well, I don't -- I don't want
2 to use my time with him reading it. I'll ask it
3 differently.

4 MS. BONJEAN: Well, then you -- you can't
5 just ask him is there anything in here without
6 letting him read it.

7 MR. SHANNON: I'm going to -- I'm going to
8 move on with a different question, Jennifer.

9 MS. BONJEAN: Okay. Put this away, put that
10 away.

11 BY MR. SHANNON:

12 Q. Without reading the statement, sir, my
13 question is: Do you know whether the interpreter
14 that you said was present during the statement
15 accurately interpreted the questions that are asked
16 and the answers that were given?

17 A. Again, I was just saying in Spanish
18 what it was wrote on the paper. Whether they were
19 saying that to the court reporter in English, I
20 don't have no clue.

21 Q. Okay.

22 A. I didn't understand, you know.

23 Q. Okay. Thank you.

24 Were you given a choice to do either

1 a handwritten statement or a court-reported
2 statement?

3 A. No. They never -- they never gave me
4 no chance or none of that.

5 Q. Did --

6 A. You mean writing the statement myself?

7 Q. Yes. Were you given the choice?

8 A. No. They never give me no choice.

9 Q. Okay. And was it your -- was it your
10 decision to do a court-reported statement?

11 A. No, it was not.

12 Q. Do you know who called the dispatcher
13 who called the court reporter?

14 A. No clue.

15 Q. I'm going to -- I'm going to follow-up
16 on some of the questions that you were asked quite
17 some time ago, sir.

18 Is it true that you were taught
19 English in your elementary schools in the United
20 States?

21 MS. BONJEAN: Objection to the -- to the form
22 of that question.

23 THE WITNESS: In elementary school, it was
24 just almost Spanish, though. You're always going

1 to get your English. I had too, you know. I mean,
2 that's how they work in school, right? You got
3 math, social studies, science, English class, art,
4 whatever stuff they add to it.

5 BY MR. SHANNON:

6 Q. And you were in -- and you were taught
7 English, correct?

8 MS. BONJEAN: Objection to the form,
9 mischaracterizes his testimony.

10 You can answer.

11 THE WITNESS: I didn't -- my English, it was
12 so bad, though, you know, that -- it was real bad.

13 BY MR. SHANNON:

14 Q. I -- let me ask a better question.

15 A. Okay.

16 Q. You were in classes where the teachers
17 spoke in English, correct?

18 MS. BONJEAN: Objection to the form, asked
19 and answered.

20 If you want to use your time asking
21 questions that have already been asked, go ahead,
22 but I'm going to keep objecting. That was asked
23 and answered.

24 Go ahead. Answer it again.

1 THE WITNESS: My classes, they were all
2 bilingual, everybody speak Spanish and English.

3 BY MR. SHANNON:

4 Q. Okay. I'm going to ask you some
5 specific ones that I don't think were asked, sir.

6 In 1990, so I'm -- I'm focusing on
7 that, back then in 1990, could you understand
8 English?

9 A. No.

10 Q. At all?

11 A. Just a little bit, you know, anything
12 easy that I could understand.

13 Q. In 1990, could you speak English?

14 A. No, I didn't -- I didn't -- I didn't
15 speak English just like I speak now, though. It
16 was worse.

17 Q. In 1990, could you -- strike that.

18 In 1990, did you ever communicate
19 with anyone in English without an interpreter?

20 A. Just a little bit.

21 Q. Give me an example, please.

22 A. It's like going to the store and buy
23 something, though, you know, that I don't
24 understand, though, you know. I'm afraid to find

1 some way, you know, to communicate and understand
2 the other party, though. But other than that,
3 though, you know, I mean, I didn't -- I didn't
4 carry no interpreter everywhere that I go, if
5 that's what you're trying to say, though, you know.
6 But somehow you got to defend yourself any way that
7 you can, right?

8 Q. Mr. Maysonet, do you have any
9 information that at any time the male state's
10 attorney lied about what you had said during your
11 interviews with the detectives on July the 15th or
12 on August the 1st?

13 Do you understand that question?

14 MS. BONJEAN: Objection to -- to that
15 question.

16 MR. SHANNON: Basis?

17 MS. BONJEAN: It's incomprehensible.

18 BY MR. SHANNON:

19 Q. All right. Can you -- can you answer
20 the question, please?

21 A. I don't -- I don't remember. I don't --

22 MS. BONJEAN: Did you understand the
23 question?

24 THE WITNESS: No. That's --

1 MS. BONJEAN: Okay. Don't answer a question
2 you don't -- you don't understand.

3 THE WITNESS: I don't remember what he's
4 saying.

5 MS. BONJEAN: Okay. So ask him to repeat it.

6 BY MR. SHANNON:

7 Q. Do you have any infor- -- I'll repeat
8 it.

9 Do you have any information that the
10 male ASA at any time lied about what you had said
11 in your interviews on July the 15th or on August
12 the 1st, 1990?

13 MS. BONJEAN: Objection to the form of that
14 question. It's compound. It's -- to the extent
15 that there were multiple interviews.

16 But go ahead. If you understand it,
17 answer it.

18 THE WITNESS: No, I don't -- I don't -- I
19 don't remember.

20 BY MR. SHANNON:

21 Q. And the -- the male state's attorney,
22 he was not present for your interviews on July the
23 15th or on August the 1st, correct?

24 A. I don't -- I don't remember.

1 MS. BONJEAN: No. Listen to the question.

2 THE WITNESS: I don't -- I don't -- I don't
3 remember talking to him.

4 BY MR. SHANNON:

5 Q. So as you sit here today, you're not
6 sure whether State's Attorney DiFranco was present
7 for your interview on July the 15th; is that right?

8 MS. BONJEAN: Listen to the date.

9 THE WITNESS: July 15?

10 MS. BONJEAN: Yes.

11 THE WITNESS: No, he wasn't.

12 BY MR. SHANNON:

13 Q. Okay. And how about on August the 1st?

14 A. No. He was wasn't. I was in jail.

15 Q. Do you remember whose decision it
16 was to take the Polaroid photo of you on August
17 the 23rd?

18 MS. BONJEAN: I'm going to object to the form
19 of that question.

20 Go ahead.

21 THE WITNESS: I don't remember.

22 BY MR. SHANNON:

23 Q. Do you remember who -- who worked the
24 camera and actually took the photo?

1 A. I don't -- I think it was an officer,
2 but I don't remember no name. I mean, it was
3 not -- was nobody that I did know.

4 Q. Okay. On these questions, sir, I don't
5 want to know what you talked about with your
6 lawyers. Okay? My questions are different and
7 they're very specific.

8 In 1990, did you ever communicate
9 with Attorney Beuke in English?

10 A. Yes.

11 Q. Okay. And how did that -- how -- how
12 would you communicate with him in English?

13 A. How did I communicate in English?
14 Basically, you know, just the way that I could
15 understood, though, you know. He -- I -- you know,
16 you got to remember, you know, the two years that I
17 was already in jail, you know, I learned how to
18 speak a little bit better, though, you know. I was
19 around English speaking people, so I didn't have no
20 choice, though, you know. So I have to learn how
21 to -- how to get my English a little bit better so
22 people, they can understand me, though, and have a
23 conversation. Especially with other inmates in
24 there, though, you know, so don't get -- don't go

1 boring.

2 Q. And again in 1990, did you ever
3 communicate with Attorney -- is it Swano or
4 "Swaino" in English?

5 A. Swano.

6 Q. Swano.

7 A. When I communicate with him it was
8 through my sister, though. My sister the one who
9 always -- you know, when -- when I had to talk to
10 somebody, she always be my interpreter, someone
11 that I can trust.

12 Q. Was -- was -- I'm sorry. Strike that.

13 Did Attorney Swano speak Spanish?

14 MR. GREENBERG: Swano.

15 MS. BONJEAN: It's Swano.

16 MR. SHANNON: Sorry, Swano.

17 BY MR. SHANNON:

18 Q. Did Attorney Swano speak Spanish, sir?

19 A. No, he didn't.

20 Q. All right. And so I just want to be
21 clear, did you ever speak to Attorney Swano without
22 your sister present?

23 A. I don't remember.

24 Q. So it's possible that you did?

1 MS. BONJEAN: Objection. He answered your
2 question. He doesn't remember. We're not playing
3 those games.

4 MR. SHANNON: I'll move on.

5 BY MR. SHANNON:

6 Q. Martin Abrams.

7 A. Yes.

8 Q. Did Mr. Abrams speak Spanish -- strike
9 that.

10 Did Mr. Abrams speak Spanish in
11 1990?

12 A. No, he didn't speak Spanish. Maybe
13 just *hola*, *cómo estás*, or -- you know, basic stuff.
14 You know, maybe like -- maybe like what you know,
15 you know.

16 Q. Did you ever on any occasion
17 communicate with Mr. Abrams in 1990 in English?

18 A. I always communicate with people
19 through somebody. And with Mr. Abraham, every time
20 that he come and see us, though, you know, he don't
21 come and see me, he come and see the other guys
22 too. They know how to speak English and Spanish.
23 So we always get interpreter just to -- you know,
24 to communicate with the lawyer to make sure that

1 when we talk, you know, it is what it is.

2 Q. So the answer to my question, sir, is
3 that your testimony is that you never communicated
4 with Attorney Abrams in English; is that true?

5 MS. BONJEAN: You mean without an
6 interpreter?

7 MR. SHANNON: Well, he wouldn't need an
8 interpreter if it was in English. I'm asking about
9 in English.

10 MS. BONJEAN: Okay.

11 THE WITNESS: No.

12 BY MR. SHANNON:

13 Q. Never?

14 A. Well, I never said never, you know, be
15 caught lying, but just a little bit, yes, we
16 talked.

17 Q. You would talk to Attorney Abrams in
18 English, correct?

19 MS. BONJEAN: Objection to the form. He --
20 objection to the form of that question. Snakes.

21 Go ahead.

22 THE WITNESS: Just a little bit.

23 BY MR. SHANNON:

24 Q. Were you provided -- strike that.

1 According to you, were you provided
2 with a new set of pants on August 23rd while you
3 were in custody?

4 MS. BONJEAN: Object to the foundation and
5 the form of that question.

6 THE WITNESS: I don't understand. Can you
7 say the question in easy way that I can understand,
8 please?

9 MR. SHANNON: Yes.

10 BY MR. SHANNON:

11 Q. Were you provided a new set of pants?

12 A. Pants.

13 Q. Pants.

14 A. Right.

15 Q. Right. While you were -- while you
16 were in custody on the 23rd?

17 A. They brought me some -- some pants to
18 me because I shit and peed on myself.

19 Q. Okay. And were those pants brought to
20 you before you met with the male state's attorney?

21 A. After.

22 Q. After?

23 A. Yes.

24 Q. Who brought them to you?

1 A. My sister.

2 Q. Those pants weren't provided by a
3 detective?

4 A. Well, actually, my sister had to bring
5 them to give them to him so him to give them to me.
6 She cannot come walking in the police station and
7 open the door and give them to me because she would
8 get herself in trouble. Do you think?

9 Q. The -- the medication, the nerve
10 medication that you took, sir, does that -- would
11 that affect your memory?

12 A. It's just nerve pills. How could it
13 affect my memory? It's just nerve pills. That's
14 what it is. Not for my -- my head.

15 Q. It would have no impact or affect on
16 your memory or your -- your brain ability?

17 MS. BONJEAN: Objection to the form.

18 Go ahead.

19 THE WITNESS: They make you go to sleep.
20 They make you drowsy, though.

21 BY MR. SHANNON:

22 Q. That's it?

23 A. Yeah. It make you drowsy. They make
24 you go to sleep. You can focus and stuff, though,

1 you know. I mean, it's a psycho-medication,
2 though.

3 He's muted.

4 MR. SHANNON: Jennifer, can I take a quick
5 break? I might be done or close to it.

6 MS. BONJEAN: Okay, sure.

7 THE VIDEOGRAPHER: We're off the video record
8 at 6:42.

9 (Recess taken.)

10 THE VIDEOGRAPHER: We are back on the video
11 record at 6:47.

12 BY MR. SHANNON:

13 Q. Sir, the first -- I'm going back to
14 August 23rd. Okay?

15 The first meeting that you had with
16 the male state's attorney, you came into that
17 meeting with an idea of the false story that you
18 were going to tell at that meeting, correct?

19 MS. BONJEAN: Objection to the form of that
20 question.

21 BY MR. SHANNON:

22 Q. Do you understand?

23 A. No, I don't understand.

24 MR. SHANNON: Can you read it back, please.

(The record was read as follows:
Q. Sir, first I'm going back to August 23rd. Okay?
The first meeting that you had with the male state's attorney, you came into that meeting with an idea of the false story that you were going to tell at that meeting, correct?)

6 THE WITNESS: When I first met DiFranco, that
7 was -- we were going to start making the statement,
8 but because my -- you know, my communication, it
9 was not all that good, though, they decide to send
10 me back to the bullpen and see what they can come
11 up with, though.

12 Montilla told me everything going to
13 be in Spanish and he would be the one who would be
14 translating to me and speak up to the story that
15 Guevara already cause me to -- to say, though. And
16 that was it. Yeah, that was the first time we --
17 when we met, you know, after Guevara finished
18 beating me up.

19 | BY MR. SHANNON:

20 Q. Okay. And -- and my question was: The
21 male state's attorney, he wasn't present when you
22 were coached by Guevara, as you claim, correct?

23 MS. BONJEAN: Objection to the form of that
24 question.

1 THE WITNESS: He was in the room, in the
2 interview room. Whether he was aware or not, I
3 don't know when they were speaking in Spanish --
4 in English, I mean.

5 BY MR. SHANNON:

6 Q. That conversation you had with Guevara
7 was in Spanish?

8 A. All the conversation that I had with
9 him was in -- in Spanish.

10 MR. SHANNON: Okay. All right.

11 All right. Nothing further.

12 MS. BONJEAN: Okay. Who's next? Anybody got
13 45 seconds they want to use?

14 MS. ROSEN: I don't have any questions at
15 this time, but the City defendants are reserving
16 their ability to call him back once you let us know
17 that he's willing to waive the Fifth Amendment.

18 I know you probably have a different
19 position, but I just want to put that on the
20 record, and we can deal with that when and if it
21 ever becomes a reality.

22 MS. BONJEAN: Okay, yeah. We'll be objecting
23 to that, but we'll reconsider it at another point.
24 Thank you.

1 Anybody else?

2 MS. MCGRATH: Defendant Guevara has nothing
3 at this present time.

4 MR. SHANNON: Defendant DiFranco joins with
5 Ms. Rosen's request.

6 MS. BONJEAN: Okay. All right. Great.

7 MS. ROSEN: Reserve, are you reserving?

8 MR. BRUEGGEN: Yeah. Jennifer, are you going
9 to reserve?

10 You're on mute. I can't hear you.

11 MS. BONJEAN: Yeah. I want to reserve
12 because of the -- the language issue.

13 MR. BRUEGGEN: Okay.

14 THE VIDEOGRAPHER: This concludes today's
15 proceedings. We are off the video record at
16 6:50 at the end of Media Unit 7.

17 (The proceedings adjourned at
18 6:50 p.m.)

19

20

21

22

23

24

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JOSE JUAN MAYSONET,)
)
 Plaintiff,)
)
vs.) No. 18 CV 2342
)
REYNALDO GUEVARA, et al.,)
)
 Defendants.)

9 This is to certify that I have read my
10 deposition taken on Friday, April 16, 2021, in the
11 foregoing cause and that the foregoing transcript
12 accurately states the questions asked and the
13 answers given by me, with the changes or
14 corrections, if any, made on the Errata Sheet
15 attached hereto.

JOSE JUAN MAYSONET, JR.

19 No errata sheets submitted (Please initial)
Number of errata sheets submitted pages

20 Subscribed and sworn to
before me this _____ day
21 of _____ 2021.

Notary Public

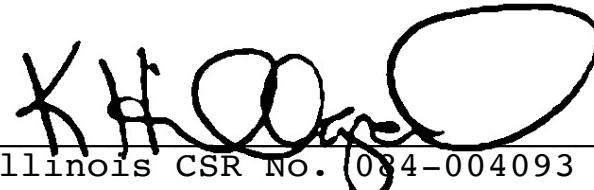
1 REPORTER'S CERTIFICATE

2 I, Kathleen A. Hillgard, do hereby certify
3 that JOSE JUAN MAYSONET, JR. was duly sworn by me
4 to testify the whole truth, that the foregoing
5 deposition was recorded stenographically by me and
 was reduced to computerized transcript under my
 direction, and that said deposition constitutes a
 true record of the testimony given by said witness.

6 I further certify that the reading and
7 signing of the deposition was not waived, and the
8 deposition was submitted to Ms. Jennifer Bonjean,
9 plaintiff's counsel, for signature. Pursuant to
10 Rule 30(e) of the Federal Rules of Civil Procedure,
 if deponent does not appear or read and sign the
 deposition within 30 days, the deposition may be
 used as fully as though signed, and this
 certificate will then evidence such failure to
 appear as the reason for signature not being
 obtained.

12 I further certify that I am not a relative
13 or employee or attorney or counsel of any of the
 parties, or a relative or employee of such attorney
 or counsel, or financially interested directly or
 indirectly in this action.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand of office at Chicago, Illinois, this 26th day
 of April 2021.

17 
18 _____
19 Illinois CSR No. 084-004093

1 Errata Sheet

2

3 NAME OF CASE: JOSE JUAN MAYSONET vs REYNALDO GUEVARA, et al.

4 DATE OF DEPOSITION: 04/16/2021

5 NAME OF WITNESS: Jose Juan Maysonet Jr.

6 Reason Codes:

- 7 1. To clarify the record.
8 2. To conform to the facts.
9 3. To correct transcription errors.

10 Page ____ Line ____ Reason ____

11 From _____ to _____

12 Page ____ Line ____ Reason ____

13 From _____ to _____

14 Page ____ Line ____ Reason ____

15 From _____ to _____

16 Page ____ Line ____ Reason ____

17 From _____ to _____

18 Page ____ Line ____ Reason ____

19 From _____ to _____

20 Page ____ Line ____ Reason ____

21 From _____ to _____

22 Page ____ Line ____ Reason ____

23 From _____ to _____

24 _____

25 _____

Exhibits	11:19 77:24 11:28 78:3	2
1 Maysonet 041621-1 191:12,13 199:21 200:5	12 36:23 75:4 96:5 124:10 12:19 130:11	2 78:3 130:11 249:9,22 250:16,23
2 Maysonet 041621-2 249:8,9,22 250:16,23	12:30 130:5	20 5:15 26:18 174:5 268:10
3 Maysonet 041621-3 319:20 320:14 322:3,11 413:5	12:33 130:14 13 387:23	20-something 17:7 2006 358:15 365:3,7 2019 382:21,22
4 Maysonet 041621-4 324:9,13	1474 325:13	2021 5:6
6 Maysonet 041621-6 358:7,13, 23 364:11	15 11:3 202:21 212:8 235:7 420:9 15-year-old 22:8 1530 36:13 137:6	2255 196:19 22nd 258:9,10 259:7 261:16 262:20 298:7 318:23 327:20 329:22 334:7,20 336:11 337:4 342:18 344:14 345:8 346:12,20
\$	15th 212:7 224:8 226:18 228:12 229:5 230:8,12 234:20 418:11 419:11,23 420:7 16 5:6 37:3 319:10 1697 321:11	23 327:1 2342 5:10
\$1,000 132:11	1699 323:12 170 382:8	23rd 321:5 326:21 327:4 342:18 346:12,20 398:5,15,20 399:3,13 400:18 404:16 412:2 420:17 425:2, 16 427:14 428:2
\$10 131:17	18 5:10 42:22	24 395:9
\$10,000 116:21	1911 128:19	2454 15:9
\$100 120:14	1980 102:10	2553 192:4
\$18.50 24:2	1980s 52:21 53:14 61:3 67:6,7 68:4,5 89:20 90:11 99:6 101:11 108:13 130:23 132:2	2558 199:22
\$2,000 168:4,8 170:15 173:16 174:6	1990 175:1,9,10 188:11 209:16 212:7 219:2,5,9,14,22 220:5 221:11 224:8,24 225:1 228:12 229:5 230:8,13 231:11,13 233:17 236:10 251:4,10 252:12 253:4,9 257:5 258:9,10 259:7 261:16 262:20 298:7 321:5 326:21 327:4, 21 329:22 334:7,16,20 336:11 337:4 342:18 344:14 345:9 346:12, 20 398:15 417:6,7,13,17,18 419:12 421:8 422:2 423:11,17	25th 209:16 233:16 270 382:7
\$20,000 131:23	1992 330:15	2:00 202:21
\$5,000 131:24	1998 357:24 365:1,4	2:09 203:8
-he 323:8	1999 327:1	2:31 222:15
0	1:45 203:5	2:34 222:18
002553 191:4	1st 251:4 252:12 257:4 418:12 419:12,23 420:13	3
1		3 130:14 203:5 319:20 320:14 322:3,11 333:13 413:5
1 5:2 77:24 191:13 199:21 200:5		30 100:14 230:14 347:8,15,20
10 202:12,19,20		302 262:7 268:16,18
101 260:9 261:12,15,20 262:13,23 264:5,7 268:8,13		33 396:4
10:00 327:5		3:10 258:3
10:06 5:3		3:17 258:6
10:55 326:21		3:30 23:7
10th 264:11,19,20,21		3rd 212:24 219:1,5,9,14,18,22 220:5 221:11 222:9 227:9,14
11 70:21,23 71:2 75:3 118:14		

231:11,13 236:10 358:15 365:7		
	7	
4		
4 203:9 258:3 324:9,13 325:3	7 322:3 359:18 397:13 430:16	
40 319:7	722 330:16 331:8	
40-apartment-unit 206:22	726 331:8	
40s 33:13	75 55:20,24	
45 128:19 221:5 429:13	77 55:21 56:6	
4:18 319:15	773.663.5391 200:18	
4:28 319:18	78 107:21	
4:42 332:13	7th 184:19	
4:44 332:16		8
4th 330:15		
	80s 38:10,11 53:18 68:21,23	
5	88 30:19	
5 215:1 217:3,5,18 229:15 258:6 266:23 319:15 325:9 326:20 328:6, 7 330:14,21 331:14 333:8 358:7 399:4 402:21		9
50 131:16	9048 358:16	
53 25:7	9053 359:10	
5:00 23:6	9:00 113:19 258:13 259:5	
5:18 366:24		A
5:28 367:3		
5:57 396:6	a.m. 5:3 326:21	
	ability 341:14 362:5 426:16 429:16	
6	Abraham 229:24 230:1,2,7 242:4, 18 423:19	
6 200:4 319:18 358:7,13,23 364:11 396:3	Abrams 239:19 240:3,7 241:22,23 242:2 423:6,8,10,17 424:4,17	
600 5:15	abuse 344:4,13 345:8 346:11,19, 21,22	
69 101:2	abyss 396:21	
6:00 79:21	accomplish 164:6	
6:08 396:9	account 119:14	
6:09 397:9	accurate 12:15	
6:12 397:12	accurately 414:15	
6:42 427:8	accuse 175:11 390:4	
6:47 427:11	accused 123:3 390:12 391:1 394:15	
6:50 430:16,18	accusing 390:23 392:15,21 393:5	
	achieve 118:10	
	acquired 30:20 338:7	
	act 51:11 86:2,3	
	acting 47:7 89:16 317:12 356:6	
	action 118:18 178:7	
	active 82:2	
	activities 31:20 40:4,5 45:2	
	actual 142:12 200:12 349:8	
	add 41:9 416:4	
	added 75:5	
	addition 315:19	
	additional 253:7	
	address 25:8,9,12 137:5 261:2,4, 10	
	Adidas 201:14	
	adjourned 430:17	
	admitted 337:12	
	advantage 388:8 408:15,16	
	advice 219:21 221:12,13,22 222:23 223:5,20 224:13,20 225:3 235:12,22 236:11 333:4 354:13 356:6	
	advise 220:23 221:16 332:23 354:16	
	advised 338:16	
	advising 81:10 384:5 412:18	
	affect 426:11,13,15	
	affidavit 359:18,21 365:4,5	
	affidavits 13:7	
	affiliated 98:2 109:5 110:13 114:22,24 115:4 152:1	
	afford 56:17	
	afraid 93:24 384:10,11 417:24	
	African-American 209:21	
	African-Americans 209:15	
	afternoon 23:7 186:5 237:17	
	age 33:3,7,10,11 35:1 70:13 112:6	
	agree 167:16 169:10,11 296:4 309:22 314:14 384:8	
	agreed 167:19 311:13 313:7,10 400:17 405:1	
	agreement 169:24 172:14 173:14	

174:2,21 175:19 176:20,23 178:5, 10,11 337:16 342:22	anytime 248:17	16,19 404:16,18 405:9,13 406:4, 16,17 407:18 409:5,24 410:11 412:2,5,6,9 419:10
ahead 55:18 59:18 63:19,20 71:19 73:2 97:13 109:7 112:2 120:8,10 127:5 128:9 134:15 138:17 145:16 169:19 170:10 172:21 177:3 183:11 213:8 221:8 225:22 232:13 239:5 254:6,21 255:6 275:12 276:9 284:16 291:22 296:19 301:20 309:15 329:24 333:17 345:1 354:6 370:12 384:7 389:13 397:23 399:17 400:7 401:21 404:21 405:19 416:21,24 419:16 420:20 424:21 426:18	apartment 15:10,11,13 16:1 17:23 18:6,12 19:3 207:2,5 367:8,24	Ashley 9:2,8 110:6 232:9
alcohol 86:4	apartments 15:15	asleep 278:1,3
Alfredo 95:13 97:18 197:6,7 201:6 352:20 353:1,2	apologize 86:17	ass 146:23 161:18 305:21
alibi 354:18,21 356:3,19,21,23	appeal 357:22 358:1 361:2	asserting 332:6
alive 34:4,6 351:24	appealed 357:20	assessing 145:10
allege 390:7	appeared 261:15	assign 262:15
alleged 178:11 180:22 344:4 346:11,19 391:10	appears 192:20 200:5 256:23 323:13	assigned 263:2
allegedly 295:18 344:13 345:8	appetizing 172:24	assist 212:7
alleges 123:22	apple 56:2	assistant 227:13,15 305:6 308:24
allowed 187:18,19	approval 63:1,2 70:15 85:17,18 105:22 110:23	associate 198:7,9
altercation 391:9	approved 70:10 105:13	Associates 5:14,18
amazing 17:5 163:21 184:9	April 5:6 184:21 387:23	assume 8:5
Amendment 212:18 219:17 221:22 222:21,24 223:10 224:14, 21 225:4 238:9 429:17	area 37:21 52:23 53:12 59:14 60:18 63:15 65:3,15,18,24 69:16 75:15 76:24 77:1,9 87:6,11 90:13 100:16 104:19 106:13 129:9 134:12 143:5 144:14 155:19 210:8 215:1 217:3,5,18 229:15 266:23 325:9 326:20 328:6,7 399:4 402:21	ate 150:1 308:4
amount 121:7 123:12 131:23 165:11 172:19 298:21	argue 361:6 389:8	attached 289:10
amounts 174:7	argued 389:4,5	attack 233:11
angel 46:6 369:23	argument 175:15 177:18,19 248:1 249:5 363:9 391:13	attempt 180:23 181:1 212:9 228:14 231:15 234:20,24 235:8,18, 21,23 236:7,9 238:2 239:11,20 243:18 244:11 245:5 258:14 266:24
angry 335:15 383:19	arguments 360:16 361:12,21 362:20	attempted 175:2 229:11 247:7
announce 397:8	arm 93:7	attention 117:23 119:11 155:16 165:13 166:3 276:11 398:4
answering 81:10 166:23 222:6 223:3 370:2	arrest 55:17 57:4 171:13 175:17 177:13 178:8 206:9,12 208:18,19 334:6 341:18 376:18 377:7 392:20 393:8,16,20 394:3,11	attorney 7:8 8:17,19,23 10:2,19,23 11:7,14,19,22 12:2,6,7 19:22 213:20,21 227:14,15,22 228:1 229:20,22 231:1 239:17,20 240:8, 12,13,14 242:3,23 244:23 261:11 262:12,19 305:7 306:3,6 307:19 308:12,15,17 309:1,12,24 311:6, 16,19,22 312:8,13 313:18,19 314:11 315:14,20 322:22 323:5 327:13 329:3,5,14 331:21 332:1,20 335:18 341:22 342:1,13,16 398:8, 11,19 418:10 419:21 420:6 421:9 422:3,13,18,21 424:4,17 425:20 427:16 428:3,21
answers 7:16 14:17 398:7 414:16	arrested 39:21 172:8,9,11 173:17 174:23,24 180:18 188:5,8 208:20 212:8,10 213:3,24 214:4 224:7 228:14,20 230:10 231:6 234:19 240:9 266:24 268:19 303:7 304:11 310:13 314:3,16 318:6 325:7 378:19,20 379:18,21 392:17,22 393:6,7,18 394:21,24	attorney's 14:14 219:21 228:16 320:3 333:4
Antonio 32:20,21 33:2 109:2	arrived 259:3 266:15 267:13 317:3	attorney/client 238:7,10 239:13 240:18 332:6,24 353:22
anxious 377:1 378:13	art 416:3	attorneys 10:15 224:2 238:11 240:16 241:1,13,15 242:13,17
anybody's 214:12	ASA 398:6,8,16 399:3,12,13 400:14,18,21,24 401:24 402:7,15,	
anymore 81:9		

244:18 395:17,23	175:16 181:17 197:20 210:15 215:2,11 230:3 242:6 243:10 267:24 275:7 284:22 297:3 305:21 308:2,10 310:7 330:7 339:4,7 349:21 350:23 366:2 380:18,23 384:23 390:16 394:13 421:14
attract 41:21 116:4 117:23	basis 32:2 130:23 213:10 332:24 344:19 378:2 383:16 418:16
attracted 391:23	basketball 45:4
August 251:4,10 252:12 253:4,9 257:4 258:9,10 259:7 261:16 262:20 298:7 318:23 321:5 326:21 327:1,4,20 329:22 330:15 334:7,20 336:11 337:4 342:18 344:14 345:8 346:12,20 398:5,15,20 399:3,13 400:18 404:16 412:2 418:12 419:11,23 420:13,16 425:2 427:14 428:2	Bate 199:21
aunts 53:11	Bates 191:6 325:15 330:16 331:7 358:16
Austin 6:3 15:9	bathroom 257:16 319:3
authorization 249:11	beat 47:15 83:3,13,22 122:10,11 146:23 284:10 290:1,2,7 292:10 299:18,20 305:21 306:2 307:20 308:10 311:24 312:15 337:9 338:11 395:14,15
Avenue 15:9 36:13 148:2 206:18 209:15,23 210:10,13,18,22 231:18 232:17 246:16 247:3 280:18 348:15	beated 402:10
aware 137:24 145:6 152:3 170:3 177:8 204:7,11 329:20 348:3,7 351:12,17 352:19 362:20 367:7 373:1 404:9 429:2	beaten 306:20 402:1,7,20 403:8,17 404:10
<hr/>	
B	
babies 206:6	beating 83:24 292:2,5 295:18 296:12,14 297:1,9 305:14,24 306:6 307:14,17,23 308:3 311:8,9 312:3, 7,9 314:19 401:1 428:18
baby 18:10 50:16 71:12 317:8	beatings 342:17
back 21:18 22:9 25:20 34:15,18, 19,20,22 35:2,10,15 36:7,11 37:1, 5,22 38:2 40:15 41:16 44:20 45:5 47:1,3,6,7,10 48:9,17,20 50:23 52:21 53:14 54:15,24 56:19 58:3 62:3,8 67:5 68:1 69:8,12 73:9 77:17 78:2 79:2 82:10 83:16 85:7 88:3,22 89:9,20 90:11 91:1 93:2 99:6 101:1,7,11 102:10 108:13 111:4 112:1 116:21 117:13 119:24 122:22,23 123:14 124:8,12,14,17 126:14,15,16 130:5,13,23 133:11 134:21 140:10 142:2 143:13 144:3 146:21 148:24 149:4 154:2 155:7, 19,20 156:2 161:19 169:6 184:5 201:8,17,18 202:2,18 203:7 206:23 214:9 215:20 216:11,14,16 222:17 228:20,23 234:18 237:3 252:12 253:4 257:17 258:5 260:19 263:19 265:7 266:15 268:7,23 270:15 273:20 274:13 278:11,18,20 279:8, 9,10,11,22 280:3,9 281:9 282:12, 17 283:6 284:20 286:15 287:11,12, 13,14,21 288:22 289:1,6,9 290:6,	
basic 22:7 98:14 101:6 234:1 336:9 423:13	bed 385:2
basically 12:17 17:4,8,12 20:22 21:22 23:17 29:17 30:8 32:24 37:23 41:24 43:19 45:6 52:3 55:3 64:9 65:7,9,11 69:21 88:21 93:16 95:22 104:18 111:8 114:4 116:3 117:16 118:13 119:1,3,14,17 121:23 122:22 124:15 126:13 133:23 138:3 140:9 141:6,15 142:9,19 145:7,8 146:13 151:12 156:11,22,24 157:21 158:3,5,7 160:7 164:1,4 165:3 172:4 174:14	bedroom 16:6 17:22,24 18:2 19:6, 9
behalf 5:8,23 6:1,6,8 242:10 329:18 330:8 356:22	beer 215:3 216:10
belief 360:12	beg 294:5
believed 46:16 360:16	Begging 286:5
Bella 203:18 205:7,13,14,23 206:10,13,17 207:7,9,20 208:14 219:7,13 233:8,13 259:8 263:4 300:10,11,21 301:6,7,14,22 302:2, 3 303:19 316:7,13,23 317:3 321:23 350:13,19 351:4 352:12 357:1 368:15,17 373:10,11 387:6	begin 78:5

Bella's 207:4 301:12	Bob 6:8 396:12 397:14	419:1,5,13 420:1,8,10,18 422:15
belong 89:19 108:24 125:3 126:22 149:15 376:7	body 59:22 197:13 284:3,5 286:12 287:1,6,17	423:1 424:5,10,19 425:4 426:17 427:6,19 428:23 429:12,22 430:6, 11
bench 163:17 353:14	bond 119:20 230:15,16 240:11 244:10 245:1,2	bonuses 24:13
bending 196:22 197:2 200:2	bonded 243:18	book 22:22 279:11 280:1 281:17, 19 282:1,13,22 283:18,21,22,23,24 284:2,4,8,18,20 285:1,5,11,15,17, 19,20,22 286:9,11,12,13 287:2,4,5, 15,16,17,18 288:6 289:4 293:10, 17,19 294:2,9,13
benefits 24:6	bonding 244:18	boom 116:3
bent 195:5,6,8	bone 381:17	borderline 69:11
betting 308:10	Bonjean 5:22 8:20,23 9:8 11:4,16 14:9,20 15:1 19:24 20:3,6,12 21:5 24:3 35:22 54:20 55:18 56:24 57:19 58:14 59:18 60:22 62:10 63:18 67:12,15,18,21 68:8,14 71:19,24 72:24 73:18 77:19,22 78:17 79:5 80:15 81:2,7 89:22 90:4 91:13,24 92:8,11 95:6 97:11 99:20, 22 104:9 108:8 109:16,21 110:3,6 120:6,10 123:24 128:7 129:17,20, 22 130:2,6,8 131:1 132:3 138:14 147:12 150:12 154:7,11 155:4 159:8,22 166:15 170:8 172:16 177:1 182:22 183:8 186:11,15 189:8,13,22 190:2,5,20 192:11,13, 19,23 193:1,15 194:2,13 196:10 197:1 198:19 199:17 200:13 202:6, 14,19,22 204:17 212:12 213:12 219:15 220:13,21 221:4,8,12,19 222:6 223:9 224:4,12,18 225:1 226:21 231:20,24 232:4,8 235:2,4, 13,20 236:4,13,17 237:5,15,22 238:4,8,21 239:2,5,12 240:17 241:2,6,10,23 249:12,17 250:18 252:1,3,20 253:17,24 254:4,9,11, 18,21 255:6,19 268:5 276:8 282:2 283:21 290:17 291:1,21 292:7,14 294:15,23 295:14 296:17 300:12 301:15,19 306:7,12 309:13 314:12 319:1,6,8,12 320:1,8,17 321:6 324:21 329:23 330:17 331:4,6,10, 23 332:4,11,22 333:14,23 334:2 336:13,16,21 337:18 342:5 343:14, 16,22 344:7,15,24 345:10,22 346:4 347:4,13,18 348:16 349:16 353:20 354:5 355:1,14 356:11 358:11,17, 20 359:23 360:18 361:14,24 363:11 364:2,14,24 365:6,10 366:7,14,16,19,21 367:16 368:4 369:14 378:7,18 381:4 382:11 386:2 389:12,22 390:8,20 392:18, 24 393:12 396:1,10,20,24 397:5,23 398:21 399:5,15 400:5 401:2,10,19 402:2 403:10 404:19 405:16 406:22 407:21 408:8,11,14,19 409:7,12 410:2 413:15,21 414:4,9 415:21 416:8,18 418:14,17,22	boring 422:1
Beuke 328:16,17 330:4,8,11 335:18,21,23 336:3,10 337:3,13, 15,21,24 338:3,6,10,18 339:20,24 340:15 342:2,3,9 350:18 351:20,21 354:1,14 356:10,15 357:4 421:9	born 32:6	borrow 119:22 122:20 123:11
Beuke's 338:24	bottom 215:10 253:16 321:10 359:10	bought 30:1 53:19,21 54:2,9
big 17:11 30:7,9 76:24 77:1 89:8 119:17 123:12 131:8 136:10 142:16 143:13 144:5 146:18 161:18 163:10 175:15 196:4 209:13 269:21 289:15 336:17	Bowen 5:14,18	Bowen 5:14,18
big-ass 206:21 215:9,10	box 43:9 215:3	box 43:9 215:3
bigger 65:14 201:9 405:4	boy 18:10 49:22 275:5,6	boy 18:10 49:22 275:5,6
bike 29:22,24 30:3,4,5,7,8,9,13	bragging 151:20	bragging 151:20
bilingual 38:15 417:2	brain 183:16 426:16	brain 183:16 426:16
bills 52:7	brakes 268:17	brakes 268:17
birthday 184:19,20,21 388:1	branch 110:15	branch 110:15
birthday's 184:19	brand 98:13	brand 98:13
bit 34:19 41:5 120:17 123:1	brang 293:10	brang 293:10
135:11,12 143:15 196:1 207:10,11 238:19 255:23 279:17 336:5,6 339:10 374:15 391:23 401:15 417:11,20 421:18,21 424:15,22	break 8:9,13 77:15 129:10,13,15, 24 130:3 142:24 143:6,7 202:4,7,8 257:15 319:3 366:5,9 388:21,23 395:23 427:5	break 8:9,13 77:15 129:10,13,15, 24 130:3 142:24 143:6,7 202:4,7,8 257:15 319:3 366:5,9 388:21,23 395:23 427:5
black 46:2,10 106:8 109:8 183:22 189:15 190:9 194:9,19 195:2,24 198:20,21 200:8 201:3,14 209:21 279:12 281:20	breakdown 297:13	breakdown 297:13
Bless 204:9	breakfast 210:3 258:24	breakfast 210:3 258:24
blessing 372:4	breaking 142:15	breaking 142:15
blind 102:6,7,8,10	breath 307:16	breath 307:16
block 64:13,20 69:3,8 77:5 87:20 95:24 97:6,7 102:2 103:1 104:15	Bret 5:13	Bret 5:13
blocks 65:2 76:2,3,4,17 87:7 152:20	briefly 271:7 289:24	briefly 271:7 289:24
blonde 110:9	bring 237:3,7 281:21 282:1,6,9 297:18 391:5 426:4	bring 237:3,7 281:21 282:1,6,9 297:18 391:5 426:4
blue 55:15 107:1 144:5 161:13 193:13 196:23 200:9 201:3,14,23	brings 329:10	brings 329:10
	broke 21:20 389:10,14	broke 21:20 389:10,14

broken	390:22	358:12,18,21 360:1,24 361:1,17,19	261:22 262:9 264:24 265:1,4,5
brokenhearted	182:16	362:10 363:19 364:7,9,17 365:2,9, 12 366:4,11 367:4,18 368:9 369:15	269:4 271:22 273:15 297:17 317:1 334:18 354:18 356:2 363:4,5
brother	32:18,20 33:2 45:12,13, 15,23 46:17 51:1 53:5,9 82:19,21 109:2 140:14 195:9,10,16,17,20 196:8 300:2	378:10,22 381:8,10 382:14,17 386:5 389:18 390:3,10,21 392:21 393:3,15 395:16 396:12,15 408:5 430:8,13	388:5,6 429:16
brother's	97:19 195:11	brung 178:20 234:8 271:14 273:17 274:7	called 6:15 59:7 72:12 215:13 216:12 268:10,11 297:17 415:12, 13
brother-in-law	242:23,24	buddies 158:23 159:5,6,9	calling 185:11 292:12 299:24
brotherhood	88:19	buddy 156:16 157:23,24 161:5,6 294:1	calls 362:2 363:11,15
brothers	33:4 45:20 83:2 246:19, 20,23 247:4,9 280:18 281:2 328:3 357:15	buffing 42:3 44:18	calm 86:21 252:23 297:19 335:10, 16
brothers'	88:22	Buick 101:2	camera 420:24
brought	168:20 213:3,4 226:19 273:4 274:4 281:16,18,23 299:1 309:22 311:11 312:22 325:9 327:19 328:5 425:17,19,24	building 15:16 17:23 18:6,14,24 19:3 25:20,22 26:1 42:14 43:3,18 97:22 104:19 198:15 206:22 207:2, 3 261:9 264:11 265:8 367:13	cancer 183:16 392:10
Brueggen	5:24 6:18 9:5,15 11:6, 18 14:12 15:5 20:17 21:11 24:5 36:1 54:23 55:23 57:3,21 58:16 60:13 61:1,11 62:17 64:2 67:14,17, 19 68:2,10,17 71:20 72:1 73:14,20, 23 77:13,20 78:4,23 80:1,17 81:17 90:2,10 91:16 92:5,9,17 95:11 98:1 99:21,23 105:7 108:12 109:18,24 110:11 120:11 124:3 128:11 129:8 130:1,4,7,9,15 131:20 132:19 138:20 147:14 150:17 154:14 155:5 159:12 160:1 166:19 170:13 173:13 176:3 177:10 178:4 180:17 183:1 184:13 186:19 189:4,9 190:4,10,14,21 192:18,24 193:3,5, 10,19 194:5,14,15 196:12 197:3 198:23 199:18,19 200:16 202:2,10, 20,23 203:10 204:18 205:1 213:6, 8,18 217:11 219:19 220:18 221:1, 9,15 222:1,13,19 223:6,14,24 224:6,16,22 225:2,5 227:3 231:23 232:2,6,14 235:6,14,15 236:1,5 237:23 239:6,15 240:20 241:5,8,11 242:1,8 249:7,14,18,20 250:21 252:6,22 253:1 254:13 255:7,20 257:14,21,24 258:7 259:2 268:6 276:13 282:4 284:6 290:21 291:8 292:3,8,19 295:4,16 296:18 300:20 301:17 302:1 306:9,18 311:3 315:12 319:4,13,19 320:2,9,10,18 321:9 324:23 325:1 330:19 331:8, 11 332:3,8,17 333:2,20,24 334:3,5 336:14,24 337:7,20 342:7 343:15, 20 344:1,10,20,22 345:4,13 346:1, 9 347:24 348:2,18,22 349:19,20 352:8 354:1,8,9 355:6,17 356:14	candy 56:2	
		bull 18:21	cannabis 384:5
		bullet 114:4 166:12	caption 331:17 359:2
		bulldozer 428:10	car 25:17 30:1,20 53:15,17,19,20, 21,22 54:5,9 80:5 85:16 89:10 96:1 98:9,10,11,16,18 100:17,18,19,20, 21 101:1,4,6,8 102:4 106:17,18,19, 23 107:2,3,15,16,17,18 113:9,12, 15 115:2,16,24 116:6,7,14,19 117:3,12,20 118:4 134:5 161:17,22 164:15,18,19 167:3 168:19,24 169:1,2,3 172:13 181:9,10 197:14 214:7 215:13 217:3 266:2,6,7,13 268:22 327:16 348:14 353:3
		bunch 74:20 77:2 141:13 171:3 172:3 185:1 198:6 229:2 281:14 291:9	carburetor 116:19
		burial 187:13,14 191:24 192:1	card 13:23 14:6,7 20:7,15 119:18 377:12 383:6,9,17 384:1
		buried 187:9	care 73:11 90:19 162:4 204:19,20 211:2 233:9 296:10 299:20 309:10 373:19 374:13 377:3 380:15
		burn 367:13	Carlo 106:22
		bury 351:24	carry 128:20 129:1 418:4
		business 55:7 90:22 91:15 94:15, 16 103:22 119:7 122:19 127:3,4,15 152:13,16 154:12 156:23 173:20 176:12,14 204:14,20 215:17	cars 55:16 56:14,18 136:7 139:7 265:16,17
		bust 271:23 275:6	case 5:10 39:21 55:17 57:5 123:20 181:4,6 208:20 209:7 212:7 213:14,16 220:2,9 221:21 222:10 234:9,10 235:1 236:18 237:1,6 238:3,15 239:20 247:8 333:11 338:11 339:19 340:21 343:8 357:5, 11 360:17 365:16 366:1,2 371:4,24 374:8 376:18
		busy 23:15	cash 127:3,4,12
		buy 54:12 56:17 98:18 127:7,18 131:12,14 148:6 210:3 417:22	Caucasian 144:1 308:20 410:15
		<hr/>	
		C	
		C-E-R-I-D-I-A-N 20:11	
		Caceres 388:17	
		Cadillac 55:21 56:7,8,11	
		caliber 128:17	
		call 35:20 60:9 72:13 79:12 82:17 96:21 106:8 119:13,18 143:17 191:6 215:7 217:8 247:3 249:22	

caught 47:14 49:2 50:1 79:23 85:18 127:16 215:23 424:15	59:13 60:18	close 33:4 52:11 63:17 69:10 94:23 114:12 162:10 177:23 184:11 186:8,13 266:20 269:24 275:3 366:6 427:5
caused 204:16	chicken 49:20	closed 114:3 186:10,18,22 267:3 276:6
causing 82:15 165:13 166:2	chief 61:4,5,15 72:4,12,13 165:6 166:10,14,21 169:12 176:11 187:16 189:1	closer 238:16 371:11,12
caveman 16:4	child 205:20	closest 28:1,2 77:3
CCSAO 325:13 330:16 331:8	childhood 32:8	clothes 248:20,23
CDS 127:11	children 18:15 205:16,18,24 206:2 302:4 368:19	clue 279:6 280:21 414:20 415:14
celebrate 184:21	Choi 6:10	coach 347:12,13 350:11 408:10
cell 278:10	choice 37:15,17 105:17 312:23 329:8 414:24 415:7,8 421:20	coached 428:22
cellblock 375:23	Chong 161:19	coaching 408:11
cemetery 187:9	Chris 98:24 353:6,14	coat 194:23 195:2,24 196:23
Ceridian 20:7,10	Christopher 99:1	Cobra 115:5
chain 200:5,6	chronology 303:11	cocaine 75:10 79:19,20 84:4 125:7,12,16,22,23 126:6,7 130:18 334:8,14
chained 310:10	church 388:20	cocktail 367:7,24 373:5,11
chair 43:10,12 248:3	cigarette 202:12,15,24	codefendants 348:4
chance 40:21 150:2 162:7 164:2 183:14 247:7 248:15 282:16 298:24 322:10 365:18 371:23 373:16 388:3,7 415:4	Cisco 302:22 303:10 313:16,21	coffee 39:1 77:16 257:16 366:10
change 21:21 62:9 268:1,3 384:5	city 6:5 49:22 429:15	coke 125:13,18 126:3,4 155:11
changed 149:18 231:16 407:3	civilian 248:20,23	collaborate 301:12 313:1
characterize 290:20	claim 60:3 111:5 428:22	college 98:6,7
characterized 110:2	clarification 213:9	color 55:14,15 56:1,9 106:24 107:1 189:16 190:1
charge 105:14 166:8 188:10 243:19 244:11 245:5 258:15 295:2 395:11	clarified 290:22 291:2	colored 201:23
charged 182:18 229:11 328:2,20	clarify 8:21 9:5 54:24 128:12 239:8 252:22 271:2 286:21	colors 93:24
charges 229:21 328:14,15,23	clarifying 254:1 382:15	Colón 40:17
chasing 148:18 149:11	Clark 5:15	coma 83:23
chat 339:10 387:17,22 388:2,7	class 38:16 40:24 41:2 416:3	comfortable 178:23 179:20
cheap 16:19,20	classes 38:13,18,19,22 39:12,13, 14 386:20,24 416:16 417:1	comments 391:22 396:18
check 25:9 78:22 127:8 198:4 269:7,13,15 270:5 274:15 278:10 316:8 380:19	clean 80:5 105:2 144:4 220:16 282:16 305:12	commit 84:13 85:9 211:4,19 235:11,18 236:9
checked 271:4 313:24	cleaning 49:19	committed 180:22 184:15,17 185:15 197:11,23 211:24 314:7 391:10
checking 81:12,14 269:10	clear 7:22 109:12 235:24 274:2 403:5 410:17 422:21	committing 87:10
Cheech 161:19	clearer 236:24 407:17	common 299:19
chemical 22:10	client 220:22 332:6,23 343:5 401:20	communicate 167:14 207:12,14 208:8,11 244:5 335:23 403:1,4 417:18 418:1 421:8,12,13 422:3,7 423:17,18,24
Chevy 106:22 107:20,21	clique 104:3,6 106:2	
Chicago 5:16 6:5 100:8	cliques 103:11	
Chicagoland 37:21 52:22 53:11		

communicated 424:3	contacted 230:9	320:5,12,20 324:18,19,21 330:18,22,23
communication 428:8	contained 360:11	corner 42:13 59:24 60:3,15,17 62:21 63:10,12,22 64:4,10,14,20 69:21 70:16,20 75:11,20,22 76:5 91:2,3 104:22 105:6 111:4 124:9, 13 125:9 126:23 127:24 128:5,14 132:9,14,15 175:15 181:15 188:1 192:15 197:1 208:24
community 120:4 244:17 384:9	continually 236:19	corners 75:14
company 19:15,18 20:20,24 21:2, 7 24:15 42:16	continue 45:23 188:14,21 221:16 294:22 297:1 308:10 365:23 378:2 387:1	Corolla 53:24 54:2,13 55:14 56:4, 12
competition 65:8 89:7,8 162:17	continued 188:24 307:20 312:15	correct 18:7 36:9 65:22 87:9 130:20 205:20 214:2 220:8 284:24 321:23 335:20 357:19 372:19 399:22 400:3,14,19,20,22,23 401:1 404:3,4,10,11 405:11,12,15 409:6 416:7,17 419:23 424:18 427:18 428:5,22
complaint 123:19,20,22 124:1,2,4, 21,23	continuing 9:1	correcting 109:21
complete 36:14	contribute 51:21 52:5	correction 251:1 323:20 394:11
completed 13:8	control 59:23 63:9,15	correctional 252:8 369:20
completely 127:3 221:3 354:2	controlled 65:19 69:16 209:10	corrections 323:4,6 370:4,5,7,15 371:18 372:10 373:18 375:4,22 379:24 393:22 394:8
complexion 143:15	controlling 69:17	correctly 103:24 283:5
compound 294:15 393:1 419:14	conversation 94:12 118:8 145:17 156:18 158:16,21 343:10 399:9 402:15 403:16 405:14 421:23 429:6,8	Cortland 69:18
computer 9:9 17:13,15,18 41:7	conversations 333:5 335:24 399:3	cosmetics 21:10
computers 9:6	convertible 101:2	counsel 5:19 221:12,14,23 222:23 223:20 224:14,20 225:3 236:11 397:15
concern 204:16 211:1 242:16 391:14	convicted 209:4,9 357:14 361:22 363:8 374:12	count 286:1 287:23
concerns 81:4	conviction 213:13,14 237:1 357:20 360:17 361:23 362:17,22 363:10,13 364:1,3,20 369:2 374:9 393:14	counting 319:11
concludes 430:14	Cook 229:17 230:11 234:19 245:4, 13,14 247:13 248:24 249:10 250:24 251:3 252:8 256:8 259:4,6 261:16 264:11 265:7 318:10 325:10 327:21 328:9 339:2 340:10, 12,23,24 351:5 367:6 369:10 373:6 374:7 375:2 378:14 379:19,20 393:17 394:6,9	County 25:13 229:18 230:11 234:19 245:5,13,14 247:13 248:24 249:11 250:24 251:3 252:8 256:8 259:4,6 261:16 264:11 265:8 318:10 325:10 327:21 328:9 339:2 340:10,12,23,24 351:5 367:6 369:10,11 373:6 374:7,23,24 375:3 378:14 379:19,20 393:17,19 394:7, 9
conclusion 362:2 363:12	cooking 31:7	couple 31:13 149:13 152:20 185:8 187:3,4 379:14 382:20 388:22 395:8
condition 377:6,10,20 378:13 379:4,17 385:24	cool 66:20 73:10 75:19 90:22 91:7 103:16 117:20 196:5 314:19	court 5:17 6:11 61:7,10 175:24 239:23 240:1 249:18 257:23 258:1, 9,11,14,18,20,24 260:9 261:12 265:8 268:18 295:10 314:22 315:1,
conditions 376:19 381:2,3,12,13, 15,21	cooperate 272:10 296:22,24 297:2,4 301:3,9 302:5,8 303:14 305:17,20 306:4,24 307:7,10 309:22 310:6,23 312:23 313:10,11 317:9	
conduct 208:24	cop 118:6 138:19,21 161:5 163:2 164:10 167:6 172:23	
conference 5:5	copies 190:13 196:17	
confirm 250:12 331:1	cops 164:11 171:3 173:20	
confrontation 67:1 112:16,21 129:5 375:10	copy 250:3,7,8,11 316:3 319:24	
confused 216:7		
confusing 131:22 292:18 349:12		
Connecticut 34:9		
connection 212:13		
consistency 350:8		
consistent 350:5		
consistently 349:13		
constitutional 79:13		
constrain 67:6		
consult 220:22 241:4 332:5		
contact 188:6 230:7 298:11		

11,13,23 325:10 328:21 330:5 338:14 341:19 362:17,21 363:1,22, 24 365:21 366:17,20 405:6 407:7, 14,19,24 408:2,6 409:5,15,23 410:7,14 411:21 413:1,6,19,20 414:19 415:13	cuffed 269:4 286:17 289:1,5,8,9 cup 39:1 cured 385:21 curfew 69:9,12 curly 143:14 cursed 122:8 cursor 191:3 194:18 256:4 cursor's 194:8,22 197:4 323:16 custody 334:22 371:19,22 372:6, 9,14,18 375:11,21,24 376:10,14 393:24 425:3,16 customers 43:11 64:17,21 cut 120:3,24 CV 5:10 cycle 294:21 cómo 423:13	139:7 146:24 150:3 151:1 152:23 153:22 157:6 161:11 171:3 181:22 182:1,3,13,14 183:5 184:23 186:7, 21 187:3 197:18 212:5 219:14 220:1 228:13 229:8,12 231:5 232:21 247:21 258:11 259:22 262:3 280:13 295:10,11 303:7,13 308:1,4 309:17 310:14 314:3 316:7,17,18 337:14 355:12 366:2 391:10
cover 171:20 covered 353:21 cow 49:20 CPD 256:15 crap 47:16 crazy 111:18 205:11 392:7 create 17:11 82:8 created 215:11 credit 119:18 crew 123:23 124:5,21,22 crime 84:13 180:21 210:19 211:3, 4,12,19,24 223:4 232:21,24 233:3 303:7 314:3,7,17 348:14 349:23 crimes 85:10 87:11 criminal 333:11 341:19 348:4 352:3,10,13 critical 22:15,16,17,18 cross 25:11 48:21 60:16 261:7 crossed 323:14 Crosstalk 235:19 crouch 288:13,14,16 crown 215:10 cruising 163:18 168:16 Cruz 96:8,9,16 97:2,4,18 98:2,7,10 101:15,16,19,24 102:4 194:10,12, 13,14 348:8,12,18,24 351:18 352:9 353:1 Cruz's 96:19 194:17 crying 385:6 Crystal 181:12 CSR 326:23 cuff 264:4 267:6,8 278:10 289:12, 13	D DA 228:1 308:21 314:21 402:22 DA's 228:16 dad 26:3 50:15 51:7,9,10,11 daily 130:22 Daley 43:3 danger 69:2 dangerous 126:3 danos 216:4 dark 93:23 113:18 dark-colored 93:21 94:1 date 184:15 213:1 221:24 236:14 257:12 420:8 dated 205:10 365:4 dates 365:3 dating 111:23 205:7,23 206:5 daughter 18:10 233:14 daughters 207:4 208:4 Dave 5:24 212:12 220:16 222:11 223:15 day 16:21 40:15,18 41:16 45:5,18 47:15 48:5 54:15 56:20 69:8 85:7 88:3 93:3 104:20 132:11,12 136:12	Dayforce 20:8,11 dayroom 339:3 days 48:10 121:19 163:11 187:3,4, 5 230:14 239:23 387:24 395:8 dead 181:7,8 deal 63:23 66:21,22 88:16 158:19 175:12 177:12 247:7,11 309:20 352:23 429:20 dealer 117:14 dealing 338:13 deaths 320:23 debate 237:19 decide 31:1 149:6 161:24 165:10 198:3 241:20 315:6 352:16 353:15, 16,18 356:7 371:24 377:14 428:9 decided 55:7 105:8 354:10 decision 223:21 242:7 357:6 415:10 420:15 defecated 309:5 defend 338:14 418:6 defendant 5:8 6:5,7,9 430:2,4 defendants 6:1 429:15 defending 238:15 357:7 defense 340:20 356:10 defined 92:14 delaying 236:19 deliver 165:12 delivering 42:6 demand 237:6 denied 357:22 358:1 361:2 deny 326:16 dep 337:17 Department 250:24 370:3,5,6,14 371:18 372:10 373:17 375:4,22

379:24 393:21 394:7,11
depend 23:14 24:14 83:4 87:19
 88:11 89:3 131:4 132:8
depending 24:14 60:1
depends 82:17 131:16
deposition 5:5,7 7:3,8 10:2,7,12,
 16,20,24 11:8 12:3,8,11 13:5,8,11
 205:15 330:21 408:21 413:5
depressed 183:13 385:5
DEPT 256:15
describe 143:11 261:6
designed 347:12,13
destroyed 146:12
detail 172:19 222:7 347:15,19
details 180:24
detective 133:16 138:18 212:11
 214:1,4,7,8,10,20 215:4 225:13,15,
 17,24 227:5 228:7 230:20 245:6,21
 264:3,12,16 266:2,6,7 267:11
 268:2 305:17,23 315:15 327:11,12
 336:11 337:5,8 338:21 342:19
 343:15 400:10 402:20 403:8,17
 426:3
detectives 212:7 214:24 218:14
 225:10 226:16 227:8 266:8,10
 267:2 268:22 269:3 398:19 399:4,
 21 400:3,17 402:1,21 410:9 418:11
diagnose 381:1
diagnosed 380:23 381:11
diagnosis 385:10
dictionary 34:2
died 181:18 184:4 187:15
difference 349:24
differently 291:2 414:3
difficult 22:11
Difranco 6:9 322:22 397:15 398:6,
 12 402:22 403:1,4,9,18,21 404:2,9
 405:5 409:24 410:9,13,22 411:20
 420:6 428:6 430:4
dinner 29:5 179:1 338:4
direct 347:16
direction 76:5 189:3
directory 281:19
dirty 49:24 52:8 155:21
disagree 175:14 336:19
discard 89:17
Disciple 224:24
disciplinary 370:24 371:2,5
discipline 51:12 79:24 80:2 83:8,
 19 369:13,19
disciplined 370:4,9
discovery 237:10 350:17
discussed 241:16
discussion 397:10,16
discussions 223:19
disease 385:21 392:10
dishes 155:21
disorderly 208:24
disoriented 234:15
dispatcher 415:12
disrespect 198:5
disrespected 87:17 88:8 112:24
disrespecting 83:2
distance 25:2
distracting 232:5,10
district 5:11 228:1
Division 5:12
DJ 16:2,12,13,22,23 17:14 29:20
 391:19
DJING 29:14 31:16
doctor 340:20,22 379:7 380:18,20
 382:1,10,11,12,13,15,19 384:4
document 9:20,22 250:1,4,12,14
 255:9,15,16 320:4,5 326:9 331:2,
 13,18 333:10,15 358:24 365:8
document's 255:11
documents 9:17,19 11:23 12:11,
 14,21 13:13
dog 18:17,18,20 28:10,14,18 29:14
 31:16
dollar 131:23
dollars 131:13,15
domestic 390:4,23 391:2,11
 392:16,22 393:6 394:16 395:10
door 136:3 139:12 263:2 266:20
 267:4 269:16 273:8,12,13 278:9
 299:10 366:1 426:7
double 57:23 59:6 116:1,8 123:14
 231:16,17 232:16 233:5,6 235:20
 246:14,15 280:18 318:7 328:3
 330:3,4 333:11 348:5 351:5,13
 356:4 357:2
downstairs 144:14
downtown 43:14
drag 37:11 121:21
dramatic 82:14
Drawing 398:4
drawn 215:24 229:3
dream 164:4 185:10,11
dreaming 384:23
dress 89:11
dressed 93:23
drink 29:6,11 77:17 85:24 86:3
 154:4 257:16 299:11
drinking 153:20 154:5,15,17,19
 155:11
drive 25:18 54:8,10 96:3 102:6
 171:6 305:2
drive-by 221:11 224:10
driver 259:10,21,22
driving 75:16 164:15 167:3 168:22
 353:3
drop 36:18 39:5,6 41:22 42:24
dropout 38:1 39:10
dropped 39:8,16,23 41:11 42:1
 45:22 51:19 52:10 55:1 135:17,18
 232:12
drove 30:24 266:10 267:2 348:13
drowsy 426:20,23
drug 47:14,15 56:19,22 64:11
 79:24 84:14 85:20 86:20 89:15
 117:14 127:7 134:6 136:11 142:20
 152:13,16 154:17,21 165:22 166:9
 334:18,22 370:11
drugs 44:13,14,16 49:2 52:4,6
 54:14,15,16,19 55:2,7,9 60:2,7
 63:13,16 64:7,13,19 65:3,19 73:13
 74:8,11,15 75:7 85:16 101:11
 113:1 118:22 119:24 120:2,16,19

123:23 124:5,7,14 127:2,20 128:1
 130:24 136:24 137:1 140:8,16,18,
 19 142:6,12,13,15,24 143:6 144:22
 151:13,19,23 152:4,8 153:20
 157:8,20 163:20,24 167:22 179:19
 188:14,21 208:14 334:10,11,13
 387:2

drunk 86:1 298:16

dry 48:17,24

due 394:13

duly 6:15

dumb 145:8,20 375:17

dying 183:15 382:6

E

ear 114:5 238:16

earlier 38:11 72:4 83:16 94:24
 96:22 125:6 139:11 140:22 156:5,6
 166:24 175:22 182:13,14,17 183:5
 203:24 205:11 225:7 228:19
 231:18 232:17 233:16 244:16
 337:17 368:14 388:9

early 38:10 186:7 210:4 295:9
 316:17,18 350:15 355:11 356:4
 388:4

earn 52:5

ears 210:18

easier 250:6 254:22 381:9

easily 320:21

east 152:20

Eastern 5:12

easy 41:12,13,14 46:8 54:14
 407:10 417:12 425:7

eat 148:6 152:24 154:20 178:17,18
 202:15,16,17,24 210:3 258:23
 301:22 383:18 386:15

eating 154:3,5,18

education 84:10

Efrain 101:15,16,19,24 102:4
 194:10,12,13,14,17 302:22 303:11
 313:16,21

Eileen 6:4 213:8 237:11 238:19

elect 353:13

elected 353:9,12

Electra 101:3

elementary 35:17,18,21,22,23
 36:8,14,18 58:7,9 133:3,12 135:4
 415:19,23

elements 141:19

elevator 264:7,10,15,17 265:21

Eleventary 35:19

emblems 93:5

employed 19:11

encyclopedia 34:2

end 77:24 83:17 87:24 130:11
 155:18 158:20 203:5 258:3 319:15
 322:1 371:13 430:16

enemies 167:8

enforcer 61:5,16 73:4

engage 94:12 156:18

engaged 158:15

English 14:2 38:14,15,16,19,21,22
 39:12,14 138:2,3 207:13,24 208:2
 215:15 218:17 251:15,16,20
 306:14 315:4,7,10 335:24 336:4
 341:6,14 403:2,9,18 404:2 407:1,2
 412:16,21 414:19 415:19 416:1,3,
 7,11,17 417:2,8,13,15,19 421:9,12,
 13,19,21 422:4 423:17,22 424:4,8,
 9,18 429:4

enjoy 388:8

enlarge 255:19

entail 80:2

entered 231:21,23

entertaining 392:3

entire 62:5 237:4 365:15 401:5

entitled 397:18

epileptic 233:10,13

episode 335:13

Epplen 6:2

equipment 16:13 22:2,6 23:11
 127:11

esta 216:5

established 74:1

Esther 6:10

estimate 132:5 135:9

estás 423:13

et al 5:9

evening 186:5 197:19 305:7

event 212:16

events 303:11

eventually 394:19

everyday 82:5

exact 25:12

examination 6:17 341:21 398:1
 401:5

examined 6:16

exchange 352:20

excited 17:16 27:4 377:4

excuse 122:8 180:4 204:8

exhibit 191:12 199:21 200:5
 249:8,22 250:16,23 319:20 320:14
 322:3,11 324:9,13 325:3 330:14,20
 331:14 338:8,21 358:7,8,13,23
 364:11 413:4,5

exhibits 9:18 189:7 319:5

exist 81:9

exit 268:12

expand 65:1

expect 338:10

expensive 17:11

experience 92:12 189:14

explain 97:15 140:2 211:9 245:19
 246:3

explained 12:20 63:8 245:18

explaining 63:9

extent 127:3 131:2 386:3 393:13
 419:14

extra 136:16

extracurricular 40:4

eye 102:9,11,14,15,17 118:4 119:9
 126:13,21 145:14 150:23 157:3
 158:4 167:7,12

eyes 95:10 102:17 126:11 144:6
 156:7 210:18

eyesight 102:16

F	
face	113:14 193:16,17 197:2 213:15 215:24 216:17 229:3 271:23,24 275:3,7,8 276:5 282:22 285:5,8 286:24 293:17,20
Facebook	391:13,15,21
facilities	77:17
facility	21:13 374:21
fact	12:3 54:4 122:17 132:12 200:2 205:12 248:21 330:5 372:21 404:9
facts	360:11
fair	8:6,24 33:1 145:9 172:19 224:3 344:24 398:13,14 409:17
fall	30:23 31:1 114:2 149:7 278:1,3
false	322:16,17,18 400:17 413:9 427:17 428:4
familiar	7:6 338:23
family	29:19 34:22 35:2 45:8 52:22 53:4,6 97:20 140:13 141:11 230:9 241:17,18,22 242:5,6,9,12,20 243:13,14 244:12,13,21 298:12 339:16,17 354:21 373:3
famous	115:14 123:10
fans	269:20
fantasy	167:5
farm	49:23
fast	114:9 276:10
fat	410:14
fate	353:17
father	51:18
favorite	55:15
fearful	60:8
federal	42:14 43:3,18
feel	17:18 117:6 179:19 185:9 330:22 354:4 380:5 385:1
feeling	162:12 380:22 392:1
feelings	94:17
feet	168:23
fellow	234:21
felt	215:20 276:3
female	111:7 228:4,6 231:1 305:6 306:5 307:18 308:12 311:6,16 313:18 391:16,17,20 399:13 406:6, 7
females	111:14 179:11
fence	161:1,4 173:1
fight	87:22 88:23 111:9 112:23 357:11 365:18 366:2 371:24
fighting	88:1,5,9,10 365:23 370:10 374:8
fights	112:11,12
figure	72:2 158:18 168:2 232:4 254:4,6 363:21
figured	163:1
file	364:10
file-stamped	330:15 358:15
filed	5:10 13:10 329:17 333:10 358:1,4 360:14 361:3 362:13 364:23 365:3,6,10,14
filming	364:13,19,21
filling	377:13
finally	132:10
financial	60:10
financially	51:21 122:18
find	44:8 86:13 134:15,17 136:24 137:1 142:12 146:10 181:8 184:2 262:5 303:5 375:14 385:5,22 417:24
findings	341:8,13
fine	77:20 80:4 100:3 183:6 221:19 223:14 232:11 254:2 309:14 411:8
finger	273:19
fingerprints	318:18
fingers	95:4
finish	113:16,22
finished	275:23 428:17
fist	276:6,7
fix	29:18
fixing	29:16
flashlight	279:10 281:17,20,24 282:7,13 284:1,4 285:16,18,20,23 286:10,23 287:4,14,16,18 288:7,8, 10 289:4 293:11 294:10,13
flashy	98:14 101:4 107:2,3 151:15
flip	320:21
floor	15:17,18,20,22 18:3,6 19:5,7 48:11,12,16 215:21,22 264:11,19, 20,21 265:13,15,20,24 270:16 272:1 275:8 276:16,19,22 277:4,9 341:1
flowers	31:12 198:2
fluent	407:2
focus	149:18 151:21 231:16 248:13 426:24
focusing	406:4 417:6
Folk	58:13 204:16,17,18,19
Folks	204:24
follow	7:21 60:5 78:15 82:23 83:14,20 85:23 160:16 219:20 333:3
follow-up	130:16 415:15
food	127:8 129:18 148:6 152:15 178:18
force	389:24
forcing	402:12
foregoing	360:10
forever	26:8 85:3,4
forget	7:21 26:23 387:3
forgot	13:24 71:13
form	62:11 63:18 67:22 68:15 79:5 89:23 90:4 91:13 92:1,15 95:6 97:11 128:7 131:1 138:15 147:12 150:12 166:15 170:9 177:1 182:22 183:8 245:13,15,16,18 246:7,9 251:22 252:4,8,9,11 253:3,9 256:8, 16,20 257:4 276:8 294:23 300:12 301:15 309:13 314:12 321:6 329:23 342:5 343:16 344:15 345:22 346:4 347:4,5 349:16 355:1,14 356:11 360:19,22 367:16 368:4 369:14 378:7 381:4 386:2 389:12,22 390:8 391:4 392:19 393:2 398:21 399:5,16 400:5 401:2 402:2 403:11 404:19 405:16 406:22 410:3 415:21 416:8,18 419:13 420:18 424:19,20 425:5 426:17 427:19 428:23
formal	298:3
found	47:22 141:6,13,21 142:14, 19 145:21 162:21 166:2 181:7

197:14 219:24 262:17 302:23
303:6 304:4 350:16 351:1 357:16

foundation 54:21 62:11 63:18
89:23 90:5 92:16 131:1 132:4
226:22 252:4 321:7 342:6 344:16
360:20 399:6,16 402:3 405:17
410:2 425:4

founded 96:23

founding 96:5

four-door 107:21

fourth 191:13 290:15,19

framing 364:3

Francisco 102:21,22 104:1

Frank 230:23

frankly 292:18 403:19

Freddy 200:8 201:2,5,6,13 202:1

Freddy's 201:16

free 29:13 31:15 44:11,19 45:3
330:22 354:4

Friday 79:21

friend 28:2 52:17,19 94:20 133:8
147:5,6,7,16 151:8,11 156:16
172:7,8 175:7,11,17 178:8 186:23
197:22 205:13 259:9 293:24 339:8,
11,21,23 340:5 389:15,24 391:20

friendly 93:16

friends 28:1,6 52:11 91:19 94:18
103:21 151:5,9 389:19,21

friendship 173:6

Fro 99:1,2,5,18 100:10,17,18,19
101:10 194:1 302:11 304:8,13
305:3 311:5 312:19 313:14 314:8
348:13 349:2 399:21

front 8:19 43:3 152:11,12,13,16
165:5,24 193:12 236:21 255:11
289:8 320:20 322:3 331:3 363:24

fuck 272:7

full 6:24

fully 138:2 255:10 344:12 345:7
363:7

fun 134:5 154:21

fund 120:4 244:17

funeral 13:22 14:1,6 185:16 186:8,
14 187:1,4,6,8 188:9 199:24
203:15,22

future 74:21 148:15

G

gals 111:10

games 423:3

gang 57:5,7 58:8,10 59:9 60:8
69:4,7,13 70:10 78:14 79:9 80:12
82:2,16 85:2 87:15,21 88:6 89:21
90:3,9,19,23 91:7 92:2,10,13,15
106:9 108:24 112:11,14,23 113:1,5
114:23 115:1,3,8 117:14 120:16
121:2,16,24 122:1,3,5,20,21
126:19,20 132:15 152:1 161:1
162:24 163:3 164:11 167:10
169:18 172:24 204:15 211:21
224:11,17,24 245:3 367:15,19
368:18 372:12,15,17,18,21 373:4,
24 374:1,2,3 375:10 376:7

gang's 113:1

gangbanging 134:2,4

gangs 58:19 59:1,3 76:18,19 82:1
90:12 91:10,20 92:24 115:16
204:12 222:3

Gangster 69:14

garden 31:9,11

gardening 31:6,8,17

gave 171:23 174:12 178:12 245:13
259:23 297:21 304:7,10 313:13,17
316:2 317:22 318:1 327:7,9 328:1
343:4 344:17 347:19 348:4 351:9
415:3

GED 386:20,22

general 25:11 39:20 65:18,24
75:15 90:12 130:21 184:14 376:3,
11,15

generally 100:11

generous 24:17

gentleman 18:23 108:2,5 192:15
193:11 194:18,21 195:1,4,23 196:1
197:4 199:7 201:13 340:8

gentlemen 210:22 353:3

geographical 65:15

geographically 60:15

get along 90:21 93:17 105:20

girl 45:19 89:11 103:14 112:4
154:21 185:1 301:23 388:10

girlfriend 26:9,12,14 27:8 111:17
112:1,6 179:2 182:6,7 394:23

girlfriends 27:2 29:3

girls 178:20 179:9,10,23,24 180:3,
8,10 206:3,4 208:3 233:8 338:7

give 8:11 19:19 23:22 24:12,13,16
25:10,12 39:20 48:8 51:8 52:6
64:12 71:8 105:21 116:12,14
118:22 119:8 120:14 122:10
127:10 130:21 131:11 132:5
139:16,18 142:5 155:22 162:3
165:2 169:6 177:20 186:16 202:19
204:4,22 210:19 245:15 248:10
261:21,22 262:4 290:7 295:21
298:16 303:3 304:12,22 313:15
314:10 331:24 332:5 336:19
342:14 343:19 347:6 349:2 357:11
371:4 373:15 391:4 415:8 417:21
426:5,7

giving 7:11 174:9 213:4 282:16

glad 26:5

glasses 143:15 197:8

glove 279:12 281:20 282:14
293:11

gloves 281:17 282:1,7

GM 98:12,13,15 106:21

God 129:6

Gonz- 351:21

Gonzales 197:6

Gonzalez 95:13,15 96:1,4 97:10
197:7 201:6 348:7,13,15 349:2,7,
22 351:12,18,22 352:2,21 353:2

Gonzalez' 348:23

Gonzalez's 352:18

good 5:22,24 6:3,19,21,22 8:7 14:2
16:20 34:3 40:17 41:5 51:17,18
52:9 56:20 84:24 87:4 97:16 98:21
105:21 112:4 117:20,22 118:6,8
122:19 123:15 127:15 129:14
130:3,7 132:11,12 147:5 149:21,22
151:8,9,16 154:2,10 158:9,11,22,
23,24 159:4,5,9 161:5,6 162:12,18
168:6,7 170:22,23 171:15 178:15,
18,21 179:12,13,17,21 182:8
183:19 185:3 193:14,16,18 255:24
256:1 257:15 259:20 272:9,18
310:22,23 334:4 349:18 380:6
385:1,2 386:14 391:21 428:9

good-bye 94:16 198:11	guess 10:8 11:15 26:6 41:12 46:8 50:6 61:4 68:15,20 74:21 85:6 90:8 92:15 118:6 174:18 186:15,17 194:2 215:5 228:11 236:23 260:5 265:4,13 266:19 268:3,5 269:10 271:17 273:14 279:19 296:11 310:10 365:22 386:3 388:24 412:11,13	272:9,18 275:6 276:4 296:23 308:20 310:1,12 311:24 349:10 410:14,15
goofing 134:6	guys 36:10 62:22 69:21 70:23 71:2,5 72:18,22 73:10 74:6,8,14,15 75:3 88:7,10 94:4 95:1,4 99:14 102:24 104:11 105:5,8 111:23 116:9 118:14,21 124:10 125:21,22, 23 126:1 128:20 129:13 162:5 164:16 166:1 168:15,19 169:20 171:16 173:17 176:20 189:6 198:1 209:22 210:17 216:7 217:22 218:8, 22 230:4 241:8 246:21 248:7,8 254:4 279:5 299:8 300:2 302:24 303:2 304:4,10 310:9 314:2,15,18 317:15 362:24 375:15 423:21	
Goosens 98:24 99:1 100:10 353:6,14	H	
Gossens 98:24	ha 246:14	
gotcha 117:2 118:1 158:6	hair 110:9 143:14 193:9 307:9	
grab 29:6 202:23 249:13 257:16 274:18,21 293:17 313:4 320:1	haircut 144:3,4	
grabbed 40:21 248:20,21 263:5 271:20 274:19,23 275:1,19 276:20 283:18,24 285:16 312:20,22 313:20	Haley 8:21 9:10	
grabbing 313:2 320:3	half 18:21,22	
grade 35:14	hall 148:8	
graduate 39:4	Halvorsen 6:2	
graduated 39:2	hand 19:21 21:9 23:23 40:14 148:19 149:10 155:22 263:5,8,10 276:15 279:18 286:24	
graffiti 84:19	handcuff 216:15 263:19 267:8 271:15	
grand 131:16	handcuffed 217:2	
grandma 32:16 47:2 48:6,7,8	handcuffs 289:10	
grandmother 33:21 49:3,12,17 50:21	handed 251:3,22 252:4,7 253:3,8 256:8	
grandmother's 33:19 34:6	handle 86:4	
grandpa 45:8 49:23	handles 61:12	
great 24:15 36:3,6 130:9 255:4 260:13 320:9 347:15 366:10 430:6	hands 29:18 40:21 90:24 165:19 169:3 229:6,8 249:3 273:19 373:14 400:22 401:1 405:24	
green 56:2	handwriting 251:7 253:7	
Greenberg 9:3 217:9 220:19 223:15 238:5,18,23 239:3 258:22 319:7 352:4 395:14 422:14	handwritten 256:19 351:10 415:1	
grew 95:23 97:5,21 99:12,14 101:24 102:1 104:14 107:14	hang 45:12,23 59:24 62:22 97:9 103:16 104:4,14 111:1,22,24 134:22 333:16 397:7 413:22	
grocery 80:6	hanging 45:17 50:7 74:17 126:12 128:5 182:12,15	
groin 286:15 287:12 288:1,2,3,5,6, 9 295:20 311:11 312:22 313:20		
ground 117:7 216:15		
grounds 238:9 239:13 240:18		
group 69:21 119:2 124:6		
grow 99:8 102:23 106:10		
growing 46:7 53:6		
grown 51:17 107:11 108:18		
guard 136:5 245:13,14 248:19 251:3 256:9		

happen 45:18 87:15 88:12,13 91:4
93:4,18 103:15 105:20 114:11
116:9,10 123:6 124:10 131:14
136:12 150:19 154:23 158:1
161:12 197:21 211:3,12 272:23
302:18 303:4 311:1 337:13 354:23
356:21 375:19

happened 36:17 40:20 70:15
102:12 104:19 105:19 114:17
134:8,20 136:9,20 141:2,4,9,12
146:9 153:15 156:1 158:13 161:24
163:23 171:4,11 176:2 181:4
199:13 209:20 212:5 214:15 215:7
227:9,16 231:18 232:17,21,24
233:3 246:15 260:21 261:20
262:22 266:15 268:18 270:9,14
272:22 276:10 278:7,13 279:5
282:8 287:7 291:20 298:14 300:9
303:8 306:22 307:5,11 308:14,20
314:3,17 317:2 328:24 339:14
342:17 344:13 345:8 346:12,19
350:14 355:11 356:5,17 357:3
371:10 373:2 374:7 386:16,24
395:10 399:10

happy 125:4,20 221:23 236:13
310:12

hard 41:17 94:16 189:20 196:16
252:16 319:24 320:5,11,20 324:19

hardcore 343:10

hardheaded 38:23

harm 113:11

hat 199:8

he'll 165:18 262:16 278:18

head 7:18,20 118:23 167:17 185:7
188:13 189:2 264:8 267:11 269:16
280:1 282:22 283:19,23 284:2,8,
18,19 285:1,5,6,11,17,19,23 286:9,
11 287:10 293:18 304:13 323:3
374:15,16,17,18 386:18 426:14

head's 213:4

health 24:9,19 32:1 379:20 380:1,
3,11 381:2,5,12 382:12,19 383:23
385:23 386:8

hear 8:2 116:5 210:1,21 228:11
239:1,3 254:11,17 273:9 294:7
295:3 323:2 396:13,14,15,18
430:10

heard 80:10 127:7 158:1,7 210:17
396:20

hearing 236:17,20 239:23 240:1
394:13

heated 248:1

heating 249:5

hell 107:6 163:2

helped 52:2 151:10

helping 23:13 49:24 298:17 342:3

helps 193:23

hen 182:11

Hey 28:22 272:3

high 37:21,24 38:3,13 39:3,5,8,9,
11,17,23 40:3,6,7,24 41:11,22
42:2,24 44:10,21 45:11,12,16,20,
22 49:9 51:19 52:10,11,14,19 55:1,
10,11 57:14,15 133:1 135:16

higher 120:17 122:21

Hillgard 5:18

hire 240:8

hired 229:22 240:2

hissself 102:13 156:7 185:9

history 40:23

hit 102:13 114:3 272:7 274:10
275:7 276:5,12,14,18 277:6 282:22
283:7,22,23 284:7,13,15,17,19,24
285:4,6,11,20,22 286:6,10,14,15,
22,23,24 287:5,8,13,14,18,20,24
288:2,3,5,6,9,10,15,17,18,23
289:4,19 290:11 292:5 294:12,14

hits 293:6

hitting 279:24 280:8 283:15,19
284:1,4 285:17 286:4,16 287:4
288:23 290:23 291:10 292:23
293:3,7,18 294:3,9,21 295:19,24
300:3

hobbies 29:13 31:6

hobby 16:10

hola 423:13

hold 54:1,20 149:8 187:24 220:21,
24 223:6 231:20,22 232:1,4,5
235:13 238:4 241:3 249:12 330:17
331:4,6,23 332:4 333:14 336:16
346:18 360:18 364:24 399:15

holding 148:19 263:7,10 276:15,
23 277:2 313:2

Homan 76:10,14 77:4,5

home 76:19 77:4 86:5,6 132:15,16
215:18 219:6 233:17,18 268:14,15

**301:5 316:9,11 317:9,10,12,13,17
349:1,2 355:19,20,21,23 356:1,3
357:2 372:4**

homicide 280:18 281:2 333:12
340:21 348:5 351:6,13 361:10
362:17,21

homicides 357:15

homie 91:5

honest 80:19 247:23 279:7 287:22
363:17 381:24 403:19

hood 169:3

hoodie 93:21 94:1 192:21,22

hook 101:7 175:7 178:3 289:13,15

hoping 189:4

horrible 86:23

hospital 83:23 183:15,18 233:12
340:24 342:9 374:14

hotel 238:18

hour 11:17,20 22:20 24:3,4 48:12
77:14 83:5 267:16,17 289:22
397:6,17

hourly 23:24

hours 22:19 23:4 233:16 267:18,
19,20,23 269:5 277:24 295:8
319:7,10 350:15 355:12 356:4
366:12,14 395:9 396:3

house 15:10 17:24 20:15 29:16
33:18,19 43:13 93:12 109:9 131:12
133:9 135:2,5,15,21,23 136:2,9,11,
22,23 137:2,3,7,19 138:10 139:2,9,
13 140:4,8,16,18,23 141:3,5 142:5,
6,8,12,21,24 143:1,3 146:17
150:10,19 151:3 153:3,10,18
156:5,13,14 158:8 178:15,17
183:22 184:24 206:14 233:1,7
297:17 300:6 301:22 348:9 394:10

household 51:22

housekeeper 231:24

houses 85:14

HP 326:21

human 90:20

Humboldt 43:14 61:17 76:23,24
90:12 100:15 103:5 138:22 163:14,
15

hundred 34:4

hung	103:8 104:3 106:1 111:13	367:11 373:5 379:21	interacted	133:11,20 137:18 147:1 226:17,18 376:15	
hungry	129:19 353:10	include	304:14	interacting	92:7
hurry	48:23 383:10,13	including	308:11 408:6	interaction	133:6 135:3 163:7 249:3 277:18
hurt	284:21 383:5 384:12	income	339:16	interactions	134:23 175:5 178:6, 13 336:11 337:4 343:13
hurtful	174:19	incomprehensible	418:17	interest	204:21
hurting	293:20 381:17	increase	75:2	interesting	41:20
hurts	239:4	incriminate	220:7 222:22 223:4	interpret	403:9
husky	144:2	indicating	221:20 256:5 284:24	interpreted	414:15
<hr/>					
	I	indication	142:5	interpreter	225:18 227:6,24 403:4 414:13 417:19 418:4 422:10 423:23 424:6,8
ID	20:15 256:11,14,19 257:10	influence	46:16	interrogation	217:9,10 356:16 404:24
idea	25:11 39:20 104:20 115:6 130:21 237:20 304:16,19 310:8 427:17 428:4	influencing	46:3	interrupt	188:19
identified	227:5	infor-	419:7	Interruption	189:21
identify	5:19 61:23 191:7 193:11 198:14 199:22 254:15 305:3 320:13 325:2	information	82:9 90:14 205:4 210:19 247:8 338:10 343:13 344:3 346:14,19 356:15 357:12 360:12, 15 363:23,24 397:19 401:24 404:8 418:9 419:9	interview	217:8,13 218:10 229:4 230:18 269:3 271:3 273:5,12 280:15 281:2,24 404:24 420:7 429:2
identifying	193:1	ingest	334:21	interviews	404:17 418:11 419:11, 15,22
idiot	171:6	inhaled	334:7	intimidated	282:24
IDOC	235:8 374:19	initial	326:22	introduced	147:6 155:13 156:8
IG	69:14	initially	174:6 217:13 260:8 281:4 282:9 328:13	investigate	86:13
illegal	134:13,17	initials	323:23 324:1,2,3,5	investigation	320:22 350:24
Illinois	5:11,16 25:14 331:18 359:3 369:3 370:3,5,6,14 371:17 372:10 373:17 375:3,22 379:23 393:21 394:7	injuries	373:21 374:12 380:15	invited	150:3
immediately	268:12 318:9,22	injury	373:19	invoke	219:16,17,21,22 220:6 221:21 222:23 223:10 224:12,14, 21 225:4 236:12
impact	222:3 426:15	inmate	256:4,19 340:1	invoked	222:20
Impala	107:20,22	inmates	375:12,23 376:3 421:23	invoking	212:17,22 220:12 223:2, 20
imply	166:7	innocent	178:1	involve	302:18,19,20,21
important	12:17 336:18	Insane	69:14	involved	70:19 88:18 112:11,12 166:10 176:19 180:9 195:17 204:23 225:6 238:15 337:12
improved	385:24 386:3	inside	102:15 300:17	involving	310:19
inappropriate	363:14	instance	22:13 79:18 85:24	issue	297:11,22 298:8 376:22 378:12 430:12
incarcerated	108:6 243:20,22 245:4 256:12 339:21,24 351:5 367:6 369:3,12,18 370:3 379:19 380:16 392:16,20,23 393:9,11 394:2 395:5	instruct	240:18	issues	81:8,13 91:23 375:5,12
incarceration	340:12 369:9 376:22 377:21 378:11,15 393:13	instructed	81:15		
incident	150:8 212:14,19 213:1	instrument	40:8,15		
		instruments	17:20		
		insurance	24:8,9,19,21 382:2		
		intelligent	163:22		
		intend	401:4		
		intentionally	346:18		
		interact	132:21 376:2		

Ivan 71:13**J****jacket** 192:16 193:13 200:9 201:3, 15,23 202:1**jail** 111:19 119:21 207:22 229:18 230:11 234:19,22 240:11 245:5 247:13 248:24 249:11 270:23 314:4 318:11 327:22 328:9 336:1 340:10 363:4 367:6 368:15 369:10, 11 373:6,13 374:23,24 375:3 376:7 379:19,20 380:11,17 393:17,19 394:7,10 420:14 421:17**jammed** 114:6**jealous** 389:2,3 391:24**Jeff** 106:8 313:15**Jeffrey** 104:10,13 105:24 106:7, 10,17,18,19 302:22 303:11 313:16, 21**Jennifer** 5:22 9:5 103:13 129:11, 12 189:6 221:15 223:7 236:1 237:12 241:8 249:10 252:23 255:2 290:21 319:22 336:15 344:21 347:24 358:14 396:17 397:22 401:16 408:9 414:8 427:4 430:8**jerk** 272:11**Jess** 6:4**jewelry** 148:20 149:10,13 150:9 151:10**JGS_MAYSONET** 191:4 192:4 196:19 199:22 321:11 323:12**Jimenez** 108:1,7**JJM** 323:23**job** 41:23 42:1 44:8 55:5 74:12 98:20 174:15 207:7 387:1**jobs** 74:12,14 98:22**Joe** 137:17,18 138:8 143:23 203:24 204:4,7,11,14**Johnson** 20:22,23,24 21:3**join** 58:4,7 70:14 88:9 96:10 99:15 105:18 108:21,23 118:15**joined** 40:7 57:9,11 58:10 67:10, 13,19 69:24 70:4 96:16 106:8**joining** 9:2,3,6,12**joins** 430:4**joint** 113:16,17,22,24 114:2 161:18,19,24 162:3 163:10,19 165:2 168:20,21,24 169:4,6**Jojo** 196:3**Joliet** 369:3 375:4**Jose** 5:5,8,23 6:14 7:1 32:20 33:2 109:2 256:4,7,19,23 321:2,12 331:19 359:3**Jr** 5:5,9,23 6:14 7:1 321:13**Juan** 5:5,8,23 6:14 7:1 256:23 321:12 359:5**judge** 117:15 223:22 236:21 261:21,22 262:1,3,8,11,15,16,17, 18 346:23 347:3 353:15,16 354:13 356:22 363:18**judgment** 361:4,9**July** 188:8,11 212:7,8,24 219:1,5, 9,14,18,22 220:5 221:11 222:9 224:8 226:18 227:9,14 228:12 229:5 230:8,12 231:11,13 233:4 234:20 236:10 240:10 418:11 419:11,22 420:7,9**Juma** 147:8,11,16 148:10,12,17 149:11 150:8,20,22 151:1,5,6,23, 24 155:10,17 156:11,14,21 157:7, 13,19,22 158:7 159:15**Juma's** 148:20 152:24 153:24 154:6 163:8**jump** 149:7,11**jumping** 410:18**juncture** 212:16**junior** 37:20 38:2,13 39:2,4**jury** 353:9,12,13,18 354:11**Justino** 96:8,9,16,19 97:2,4,18 98:2,7,9,10,11 348:8,12,18,24 352:9 353:1**K****Kathy** 5:17 332:17 337:1 345:5 358:9**Kedzie** 36:12,13 137:6 181:13 206:18 207:5 210:13,14 261:9**keeping** 126:11,12 145:14 155:22 169:16 172:22**Kevin** 320:23**key** 20:2,3,13**keyboard** 17:21**Keystone** 218:23**kick** 96:11 154:2 215:20 216:14**kickback** 121:6**kicked** 96:13 216:10 228:20,23 229:1**kicking** 124:12 215:20**kid** 16:24 18:9 22:8 46:14 51:6,23 52:16 89:17 134:7 149:22 171:15 183:19 196:5 259:20 301:9 377:8**kidding** 110:10**kids** 53:6 74:20 85:5,6 95:23 134:22 156:10 259:19 301:12 356:1**killed** 198:5 209:23 210:17 211:23 246:20,22**killing** 185:9**Kimball** 61:24 62:1,2,19 63:4 64:8, 18 65:1,10,20 67:11 69:17 70:5,16, 20 71:22 72:7 74:9 75:1,12,22 76:15,20 78:9,13 87:8 88:7 94:8 95:4,19 96:6,17,24 104:17 105:11, 23 106:15 107:9 112:11 125:1,9 126:24 128:6,15 135:20 152:21 187:17 209:16,24 210:6,7,9 246:16 247:2**Kimball-wabansia** 165:6**kind** 17:2 18:20 24:17 25:1 26:5 27:9 30:3 46:1,19 60:14 64:5 66:7 70:17 90:1 92:20 95:2 96:23 98:11, 13 99:17 100:12,19 106:19 107:17 112:15 117:18 119:9 120:4 126:10 143:14 144:1,2 147:5,21 148:4,7 153:21 157:11 158:18 171:20 176:7,9,11 182:16 261:23 269:19 310:2 326:22 338:12 342:10 365:21 370:22 373:21 413:1**King** 57:8,12 59:7,10 60:5,11 63:23 66:6,19 70:6 76:23 77:7 79:16 82:2**Kathy** 87:16 88:9,14 89:5,6 91:1 93:5,21 101:18 103:8 106:9 109:23 110:1,5 112:10 113:4 114:20 116:12 149:4 160:22 161:6 180:7 195:21 215:6, 8,11 259:15 340:6,7**Kings** 57:10,17 58:1,5,12,17,19 59:12,13 60:19 61:3,20 62:5,9 72:5, 76:22 78:8 79:4 81:9 89:21 94:5,7, 19 101:20 103:4 105:10 108:22,23

109:3,5,14 110:14,16,18 122:15
135:19 152:3 169:17 172:15 198:6
211:4 224:23 234:21 243:5 244:17,
22 367:23 368:3,10,23 374:4,5

kit 43:8

kitchen 155:7,19

knee 48:12

knew 46:19 59:2 85:2 94:6,20,21
95:9,22 96:2 108:17 115:16,20,23
138:21,24 147:20 157:7 167:19
169:1,24 170:6,11,12 176:7,12,19,
21,22 177:2 180:10 185:4 208:5
226:18 338:21 339:11 361:12
363:23 373:14

knife 370:23 371:6 374:17

knocked 271:24

knowing 157:5 188:2

knowledge 67:5 79:12 90:14
188:2 204:13 212:4 278:23 305:10
344:4 346:14 360:12 402:13

KW 62:3 105:23

L

la 216:4,5

lady 306:14

laid 400:21

language 47:19 207:24 362:24
430:12

lapels 195:2

larger 63:15 122:15 255:21,23

Las 154:23

lasted 379:13,14

late 33:13 52:21 53:14 61:3 67:6
68:21,23 89:20 90:11 130:23 132:2
186:14,18 383:20

Latin 57:8,10,12,17 58:1,5,12,17,
19 59:12,13 60:5,11,19 61:3,19
62:5,9 63:23 66:6,19 70:6 72:5
76:22,23 77:7 78:8 79:4,16 81:9
82:2 87:16 88:9,13 89:4,6,21 91:1
93:5,21 94:5,7,18 101:19 103:4,8
105:10 106:9 108:22,23 109:3,5,
14,15,22 110:1,4,5,6,8,13,14,16,
17,18 111:12,20 112:10 113:4
114:19 116:12 122:15 135:19
149:3 152:3 160:21 161:6 169:17
180:7,11 198:6 224:23 234:21

243:5 244:17,22 259:15 340:5,7
367:23 368:3,10,23 374:4,5
laundry 141:8 143:2,9,10 144:14,
15,16,20

law 413:1

lawyer 82:3 217:16 230:3 234:3,14
238:14 240:2 241:18 261:13,14,18
279:16 280:5,6,8 299:24 307:4,6
308:22,23 312:3,10 323:8 329:4
339:12,18 343:5 352:22 354:13,17
356:6,7 361:24 362:23 363:16
364:4 395:14,15 405:11 423:24

lawyers 119:6 233:23 357:9 421:6

lay 229:5,7 249:2 252:3

laying 401:1

lead 80:9 401:4

leader 67:10,20 68:12,15,18,19
71:1,21 72:3,4,5 73:24 107:8

leaders 68:3 73:16

leadership 60:19 61:2 66:12,15,
16 72:18 74:2 118:11

leading 401:11

learn 209:14 350:12 386:17 421:20

learned 41:3 45:10 151:15 421:17

learning 17:4 26:6 38:21

leave 146:10 232:10 248:16,17
258:22 260:16 277:15,16 281:9,12,
13 288:21 290:1,5,7 294:10,13
299:17 300:4 312:13 327:14,17
372:1,11,21 391:7

leaving 216:9 248:5,8 280:2,9
307:15 316:8 325:10 327:10
372:16

left 8:19 17:2 20:15 78:7 98:6,7
140:24 146:11,13 149:17 172:12
175:15 192:17 194:7,17 203:11
227:18 248:17 260:17 262:22
273:14 274:15 278:20 279:8,18
281:7 282:12,15,17 283:6 290:3,12
291:16 292:10,11,23 293:12 296:7
307:10,11 327:22,23,24

left-hand 197:1

leg 149:3 342:11

legal 5:13 56:22 180:1 334:18
362:2 363:4,7,12

lend 123:12

Leo 59:7,10 215:6,8,10,11

letting 216:24 218:18 225:19
308:3 338:12 401:7,20 414:6

librarian 33:23

library 33:24

lie 33:16 38:23 56:21 112:13
171:20 310:21 390:14 411:4,11

lied 418:10 419:10

lies 350:9

life 41:12,13,15 79:22 82:6 85:1
118:19 126:8 185:5 234:17 357:17,
18 386:9

lift 269:22 270:4

light-skinned 143:17

lights 164:22

likewise 7:12

lineup 214:18 217:17,22,24 218:4,
6,9,11,15 225:7

lion 215:9

listen 28:11 239:16 294:4 306:3
420:1,8

lit 114:1

literally 97:6,22

live 15:7,8,12,18,20,24 18:8,9,14,
24 19:3,4,5 25:21 32:14,15,17
34:14 35:16 37:2 49:2,16 50:24
100:10 206:10,13,16 207:1,4

lived 18:11 33:18 34:13 50:20
52:22 87:5 90:14 100:11 106:12
147:17,19 260:23 305:4

lives 15:22 18:5

living 34:7 36:12 47:24 76:8,9
100:12,15 104:18 137:3 139:15
140:9,11 178:16 179:4,5,6 199:14
206:23 234:1 261:5,7,8

Lluvia 95:17,21,22 196:21 302:11
304:8,13 305:3 311:5 312:19
313:14 314:8 348:14 399:21,23
400:1

located 25:6,7 69:15 148:1 181:11

location 197:13

locked 173:4 245:10 303:7 314:16

lockup 229:14 230:19 270:12,15,
18,21 271:8 273:2 274:11 277:19,
20,22 278:2 280:11 328:5

long 10:17 11:13 16:22 17:1 18:11 22:11,24 30:9,17,23 32:12 34:12 38:6 40:1,2 43:17,24 44:1 47:4 49:11 50:17 58:3 60:1,11 65:14 77:10 79:14 91:10,20 98:2,4,5 100:13 110:9,21 112:8 152:7 153:2 154:22 163:7 169:12 174:21 185:5 195:15 207:18,19 226:4 230:11 239:19 240:7 247:12,15 267:14,15 268:8,20 271:9,11 277:22 278:4 289:17,19 290:3,5 294:21 295:5 297:24 299:3,13 300:23 303:24 307:22,24 371:5 377:6 378:8 379:9,13 384:17 388:13 393:24 394:2 395:5,7 406:5 412:8	macho's 68:6 185:21 195:8,10,11, 16,17,20	manufacture 22:3
mad 50:9 125:5 173:12 247:22,24 273:20 279:1,19 280:7 282:19,20 293:16 302:7 335:14,15 392:5	madame 407:24 413:19	manufacturing 21:12
madame 407:24 413:19	made 37:24 39:3 69:21 122:3,24 182:11 204:20,22 242:7 265:5 295:3,21 309:20 323:20 329:15 331:22 332:21 352:23 404:9	marijuana 54:18 56:24 57:1 125:7, 11,14,17,20,22,24 126:2,4,6 130:19 334:18 383:6,9,17 384:1 385:15
mailbox 48:15	mark 249:8 319:20 324:9 330:14 358:6,12,23	mark 249:8 319:20 324:9 330:14 358:6,12,23
maintenance 21:21	marked 320:13 324:13 331:13 333:8 364:11 413:4	martin 229:24 230:1 239:19 240:3 423:6
major 209:2	math 416:3	math 416:3
majority 84:22	matter 5:8 54:4 75:20 122:17 132:12 173:23 200:1 205:12 213:13 238:12 248:20 330:5 349:15	matter 5:8 54:4 75:20 122:17 132:12 173:23 200:1 205:12 213:13 238:12 248:20 330:5 349:15
make 16:8 17:9,14 21:8,9,19,20 23:18 26:4,23 47:24 48:20 52:1 54:14 66:17 79:14 86:5 87:11 94:15 109:1,11 115:11 116:19 119:7 121:12,14,18 122:2,4,24 125:4 126:6 129:3 131:8,9,18 132:17 136:15 145:5 160:15 164:14 165:22 173:16,22 177:24 179:19 183:23 185:5,6,12 190:12 211:5 220:11 223:21 238:19 246:24 249:15 254:22 255:10 262:7 264:23,24 266:19 273:15 299:11 302:17 323:4,5 333:24 355:10 360:3 361:12,21 362:20 363:9 365:7 375:20 380:5 381:9 383:5 390:15 401:14,20 403:5 423:24 426:19,20,23	matters 221:22 238:7	
lotions 21:9	makes 12:13	Maysonet 5:5,9,23 6:14,19 7:1,2 9:16 10:1 14:13 15:6 19:12 20:18 25:10 26:9 27:7,24 31:22 32:4 34:12 41:10 54:24 57:4 77:13 78:5 80:18 81:18 92:18 99:24 108:21 124:4 129:8 130:16 147:15 177:11 183:2 184:14 189:4 190:15,18 193:24 199:20 203:11 208:18 213:19 219:20 221:10 222:20 224:7 232:15 237:24 239:7,16 240:21 241:12 244:16 249:7,8,21, 22 250:15,16,22 252:7 255:8 256:4,7,19,24 257:14 258:8 259:8 282:5 283:4 319:19 320:2,11,14 321:2,13 324:9 325:3 330:20 331:12,13,19 332:9 334:1,6 348:3 358:16 359:4,5,10 367:5 398:3 409:3 413:4 418:8
loud 7:17 116:20,24 117:3,5 171:7 175:16 248:11 275:14	making 29:20 55:6 85:7 118:17 119:16 122:19 123:15,18 124:15 127:1 130:22 131:23 156:23 220:3 391:21 428:7	Maysonet's 212:17
Louis 210:9,11	Maldonado 107:24 108:1	Mcgrath 6:6 430:2
love 17:12 40:18 73:5 125:14 183:20	male 308:15,17 311:18,21 312:8, 12 313:19 314:10 315:14,19 398:7, 8,11,16,18 399:3,12 400:14,18,21, 24 401:24 402:7,15,16,19 404:16, 18 405:9,13 406:4,8,16,17 407:18 408:8 410:11 412:2,5,6,9 418:9 419:10,21 425:20 427:16 428:3,21	meaning 22:18 158:11 159:7
loved 183:13	man 40:22 51:17,18 61:5 101:8 117:6 153:21 165:4,8 171:3 175:21 176:6,16 178:1 216:6 248:10,13, 19,23 272:7,20 305:19 308:7 310:19 389:1	means 167:21 168:2 182:23 393:13
lovely 48:7		meant 350:19 382:16
lucky 172:12 371:3		meantime 397:21
lunch 129:11,13		mechanical 22:5
lying 352:14 381:23 424:15		media 5:2 77:24 78:3 130:11,14 203:5,8 258:3,6 319:15,18 387:12 397:12 430:16
<hr/>		
M		Medicaid 298:3
machine 22:9 23:13 141:9		
machines 22:15		
Macho 68:5 71:13 72:10 73:4,15, 24 74:3,5,6 159:7 162:9,11 169:11 171:2 175:7,20 176:5,15,19,21,23		

medical 31:23 373:19 374:13 376:19 377:12 380:15 381:1,2,5, 20,21 382:11,12,19 383:6,9,17 384:1	messed 207:16	misrepresent 254:5
medication 297:11,19,23 298:4,5, 8,12,16,19 299:1 334:24 335:1,4,8, 11 376:23 377:10,17,18 378:3,13, 17 382:24 383:1,2,4 426:9,10	messing 112:17 368:7,12,24 390:19 392:4	misrepresenting 254:23
medications 377:15 378:24 380:7,11 382:23 385:9,12	met 11:7,19,22 12:2 52:13,16 76:12 118:6 147:4,5 148:13 149:24 150:6 153:22 156:11 160:11 178:20 184:22 205:12 206:24 230:5,6 251:3 257:7 311:15,18 313:18,19 314:22 340:13 388:19 398:16 400:18 425:20 428:6,17	missed 213:10
medicine 297:14,15,18,21 299:12 377:24 384:5,12,13	metal 289:14	misspoke 205:19 236:2
meditation 371:24	mid-size 106:23	misstates 290:18 292:14
meet 10:19,22 50:11,19 95:21 148:12 150:20,22,24 163:23 180:8 262:13,14 388:18	middle 67:13 161:22 383:21 405:6	mistake 136:10
meeting 10:14 11:13 12:1 329:13 406:17,21 407:13,14,15,18,19 409:4,5,24 410:10,12,18 412:5,6 427:15,17,18 428:2,3,5	midnight 79:23,24	mistaken 292:21
meetings 388:20 404:17 406:3,16 412:10	Miedzianowski 137:17,19 138:8 139:4 143:23 144:18,23 145:2 150:5 153:1,3,24 155:2 156:2 157:7 168:17 204:1,4,7,11,14,21 205:3,4	misunderstanding 91:17
Megan 6:6	mind 169:8 407:3	misunderstood 411:13
member 57:5,7 70:1 99:18 101:19 109:3,13,19 118:13 135:19 204:15 243:4 368:18	mine 24:12 147:5,6 200:23 241:21 259:9 339:9	mix 18:21 21:23
members 72:20 75:2 78:14 96:5 113:5 121:16 126:9 169:21 224:11	Mingey 6:2 230:20 231:3,12 232:15 245:6,22 246:5,11 247:6, 12,18 249:2 251:4 252:17 253:3, 15,20 256:14 257:8 266:21 267:13 268:2 270:10 271:5,9,19 273:5,7, 11,14 274:3,14 315:16 402:17 410:14,22 411:18	model 53:23
memorial 14:6,7 197:17	minor 208:23	Molotov 367:7,23 373:5,11
memory 426:11,13,16	minors 180:2	mom 15:8,12,19,21 18:1 19:4,9 26:2,4 32:15 37:7 45:24 46:9,16 47:3,15,23 49:1,12 50:1,5,14,20,24 52:6 53:4 54:5 139:19 140:13 146:17 179:5 182:17 183:13,14,20 184:10 185:10 297:15 298:5 368:11 373:2,10 384:21
men 51:17 111:10 218:7 348:15	minutes 11:3,15 77:18,20 83:6 129:15 130:2 202:12,19,20 247:14, 15,16 257:19 268:10 319:7,10 366:13,14,18,19 396:4 405:3 412:1	mom's 298:8,18 335:1
mental 32:1 379:20 380:1,2,10 381:2,5,12 382:12,19 383:23 385:23 386:8	mis 123:24	moment 19:19 139:2 145:13 160:12 226:13 239:21,22 260:4 278:19 281:8 288:21 290:6,13 293:12 299:2,3 312:21
mentality 90:20	mischaracterization 73:19 291:6 292:17	Monell 237:9
mention 174:16 175:12 185:8 303:3 314:7	mischaracterize 67:16 73:21 409:9	money 29:19 52:5,8 54:12,15 55:6 56:19 61:13 65:17 67:1 85:7 89:8 98:18 101:7 104:23 108:23 109:1 118:17,23 119:3,5,6,12,16,20,22 120:23 121:12,14,18 122:1,2,4,9, 10,13,20,24 123:1,4,12,15,18 124:15 126:6 127:1,22 129:2 130:22 131:9 132:17 136:16 142:20 157:17 165:11,12,20,21,22 170:21 173:23 174:9,10,12,20 177:5,6 178:12 180:9 204:5,22 241:21 243:15 244:14,22 245:3 279:2 342:23
mentioned 29:13,14 115:15 139:11 143:18 273:21 387:11	Monte 106:22	
mentioning 280:8	month 23:3 24:14 153:12 156:6 379:6,8,13 394:4,5	
mentor 157:11 170:5	monthly 130:23	
mess 60:4 102:15 116:13 123:6 164:12 168:10	months 153:13	
message 200:5,6,23 201:11	Montilla 6:1 230:20,21,22,23 231:4,12 232:15 245:7,22 246:5,12 247:6,13,18 248:1 249:2 251:4, 257:8 266:21 268:2 270:10 271:5,	
messages 200:20,24		

9,13 272:2,3,4,15 273:8,11,13,16,21 274:3,4,14 275:9,10,13 277:16,19,20 296:8,13,16,20 297:5,10,17 298:11 299:7,22,23 301:2 306:1,11,13,19 310:5 314:22 315:7,15 327:12 402:17 403:3,7,9,11,16,18,22 404:7 407:4 410:13,22 411:19 412:20 428:12

mops 265:18

Morgan 262:2

morning 5:22,24 6:3,19 10:22 23:6 43:16,19 186:6,7,21 190:7 210:4 233:16 258:9,13,17,21 262:13,20 295:10 314:9 316:8,17,18 318:4,5,6 321:4 327:5,20 339:4 350:15 355:12 356:4

mother 18:12,16 25:24 32:16 50:11 53:9 142:21 148:14,15 178:16 179:6 184:24 205:16,17,20,21 207:1 367:12

mother's 18:1 32:16 137:3 143:1 206:19 367:8,24

motion 13:12 237:16 329:14,18 330:14 341:17 342:4 343:2,12 344:2 345:15 346:23 350:17 363:18

motions 13:10

motorcycle 30:14,15,16,17,18,21,22,24 55:22

mouth 114:1,2 146:7

move 32:4 36:10 44:1 65:10 286:19 317:14 348:1 364:8 404:14 414:8 423:4

moved 32:7,10 35:2

movement 136:6 286:18

moving 34:21 78:12 202:5 322:1

MTV 38:11

multiple 27:19 59:13 364:15,16 419:15

murder 175:2 180:23 181:1 212:9 226:15 228:14 229:12 231:15,16,17 232:16 233:5,6 234:20 235:1,9,11,13,21 236:7,9 238:3 239:11,20 243:19 244:11 245:5 246:14,15,19,20 247:2,4,8,9 258:14 266:24 280:19 318:7 328:3,14,15,23 330:3,4 350:14 351:19 352:20 354:22 355:5,11,20,22 356:5,17 357:3 361:22

music 16:3,8 17:9,10,14 29:20 40:16,19 45:6 116:22

musical 17:19

musician 45:7,8

mustache 143:14

mute 396:11 430:10

muted 427:3

N

naive 117:9

named 329:3

names 52:15 58:1 71:4 108:14,18 111:16 227:7 302:10,13 303:10,21 304:1,8,15,22 305:1 311:5 312:19 313:17 314:1 399:21 400:2,11,13 410:16

narrative 343:19

Nation 58:13 60:5 79:15 204:16,17,18

National 136:5

natural 40:23 357:17,18

nature 294:16

necessarily 94:2 113:7 336:18 363:6

needed 77:9 119:20 157:1,20 339:11 372:13

neighborhood 60:12 61:17 69:1 84:12,13,18 85:10,14 86:11 90:13 93:4,8 95:9 97:22 99:12 100:9,11 102:3,24 106:11 107:13 123:11 133:16 138:22 149:4,6 150:22 156:10 157:3 181:12,14,16 198:7 199:14 209:18 211:5,13,15,20,22,24 212:2 218:23 230:5 259:19 305:3

neighborhoods 99:14

neighbors 95:2

Neil 329:3,6,9,11,14,17 330:1,2,7,10 332:3,7 335:17

nerve 297:22 376:22 379:17 426:9,12,13

nerves 297:11 378:24 379:16

nervous 114:9 297:13 298:8,10 335:12,13,14 377:2,20

news 82:5

newspaper 41:18 42:3,5,15,20 43:20 44:5,18 53:21 55:5

newspapers 43:1,5,17,23 44:4,7 51:20

nice 16:21 40:14 101:1,9 107:4,5 116:19 118:8 155:23

nickname 57:16,22 59:4 71:12 108:3,4 195:14 205:11

nicknames 57:24 58:24 108:15

night 113:20 114:14 181:22 182:1,4 183:7 184:7 186:14 197:23 308:1,11 309:21 314:4,16 348:9 350:13,14 351:19 354:23 356:4 383:20,22 384:24

nightmares 384:15,18,19,20

no-no 161:2 173:2 180:8

nobody's 227:10

nod 7:18,20

Nodding 185:18 270:19 413:20

nolle 237:16

nonsense 385:3

normal 45:19,20 52:18 78:19 86:4 134:7,21 370:10

North 5:15 15:9 36:12,13 137:6 148:2 206:18 207:5 209:15,23 210:9,13,17,22 231:18 232:17 246:16 247:3 280:18 348:15

Northern 5:11

northwest 210:5

noted 409:19

notes 41:3 395:19

notice 380:21

number 5:10 10:8,10,11 21:9 22:16,17 59:23 60:1 66:22 75:2 84:15 85:22 100:20,21 103:5 104:11 105:4 107:18 110:23 111:3 137:9 139:6,7 183:16 191:13 200:14,15,18,19 214:7 249:9,22 250:16,23 256:11,14,20 257:10 269:14 283:10 284:21 288:3,17 319:20 320:14 324:9,13 325:3 330:21 364:11 373:22

numbers 191:7 250:9 325:15 411:3

O	P
obedient 28:18	252:8 270:14 274:11 278:8 297:16 299:5 301:4 305:17 315:17 402:10, 18 410:15,23 411:22 421:1
obeying 46:5	
object 67:21,22 68:15 72:24 73:18 81:2,13 91:24 132:3 138:15 150:12 170:8 172:16 213:21 222:4 226:21 238:6,8,13,22 239:12 240:17 291:5 347:11 363:11 386:2 392:18 393:2, 12 401:7 403:10 420:18 425:4	
objecting 238:14 403:11 416:22 429:22	
objection 54:21 62:10,11 63:18 71:24 79:5 89:22 90:4 91:13 92:16 95:6 97:11 120:6 123:24 128:7 131:1 147:12 166:15 177:1 182:22 183:8 186:11 276:8 282:2 290:17 291:21 294:15,23 295:14 296:17 300:12 301:15 306:7 309:13 314:12 321:6 329:23 342:5 343:14, 16 344:15 345:22 346:4 347:4,5 348:16 349:16 353:20 355:1,14 356:11 360:19 361:24 364:2 367:16 368:4 369:14 378:7 381:4 389:12,22 390:8 392:19 398:21 399:5,16 400:5 401:2 402:2 404:19 405:16 406:22 407:21 409:7,19 410:2 415:21 416:8,18 418:14 419:13 423:1 424:19,20 426:17 427:19 428:23	
objections 347:12	
observed 401:24 403:17	
obtain 348:9	
occasion 6:10 49:1 283:5 288:19 394:22 423:16	
occur 150:8 374:6,21	
occurred 212:23,24 224:10	
occurring 69:2	
of-age 179:24	
offend 112:20	
offended 271:17	
offending 119:4	
offer 279:2	
office 228:16,17	
officer 134:9 137:9,12,15 143:22 144:11 168:9 172:1 205:4 218:16 225:11,12 227:22 228:9 229:5	
	P-A-N-T-O-J-A 259:12
	P-A-P-O 199:3
	p.m. 430:18
	packet 148:9
	pages 191:7,17 281:17 282:1,7
	paid 24:2 145:24 156:19 174:6,17 245:2
	pail 244:10
	pain 184:8
	pair 279:11,12 281:20
	Pamper 206:8
	Pantoja 259:10,11,13,15 260:23
	pants 198:24 309:6,7 425:2,11,12, 13,17,19 426:2
	paper 23:18 246:4 248:10 249:13 250:3,7,10 251:1,2,11 253:11,12 254:1 261:23 262:4 269:21,23 270:2,5 315:6,9 330:18,22,23 407:10 414:18
	papers 12:23 42:7 190:8 316:5 317:8
	paperwork 23:16
	Papo 198:18 199:3,10
	para 363:4
	paragraph 360:7,9
	paralegal 8:21,22 363:5
	parent 46:13
	parents 25:23 37:18
	park 29:6 43:14 61:17 90:13 100:16 103:5 114:18,19 136:5,21 138:22 161:14,15,23 163:9,13,14, 15,17 168:16
	Park's 76:24 77:1
	parked 114:16
	parks 45:4
	parole 394:10,13,14,17
	part 22:6,11 32:7 58:12 69:1 82:6 88:19 115:8 120:18 121:2 190:8 199:10 200:6 210:10 256:13 340:10,22 413:12

participate 40:4 221:10 356:9,13	people's 304:14	picture 108:10 193:22 201:7,8,10 203:20 318:14,17,21 325:4,5 326:13,17
parties 5:20	percent 120:15 121:6	pictures 191:11 318:15
party 148:7 418:2	percentage 120:17 122:22	piece 118:17 251:11 261:23 262:4
pass 116:12 261:23	perfect 36:4 70:17 83:17	pig 49:20
passed 153:9 188:22 313:23	period 38:20 39:15 49:3 168:11,13 174:11 334:8 365:20 369:4 379:11 380:19	pill 377:2,18
past 26:23 335:1 382:1	Perjury 352:4	pills 335:7 426:12,13
patience 395:21	permission 65:4,24 66:1,2,4 76:1 105:9 167:17	pistola 216:4,5
Paulnitsky 6:1 212:11 214:1,4,13, 14,20 215:12 225:16,17 227:5 228:7,10 231:1 263:7,9,18 264:3, 13,16 266:13,19 267:11 268:20 269:9,12 270:4 271:4,19 272:6,13 273:6,18,23 274:17,19 275:19 277:18 318:10 327:12	person 10:20,23 11:10,12 21:17 61:6,8,12 73:6 86:12,15,17 90:18 92:14,22 93:17 101:14 105:20 114:21 121:11 128:14 129:4 163:22 178:21 192:23 193:5 194:7, 16 201:14 338:13 380:8	pit 18:21
pause 213:20 221:7 336:20	person's 304:15	place 78:21 143:8 153:24 155:23 212:12 267:7 284:20 289:3 290:24 372:12 397:19
pay 26:4 52:7 119:10 123:4,5,13 141:24 146:3 152:7 155:16 170:22 174:7,11 175:18 177:4,5,20 185:16 243:12,15 244:22 245:1 276:11 342:23	personal 128:16,18,21,23 140:22	places 375:6
paying 122:23 165:24 167:6 168:4 170:14 338:1	personally 131:24	plaintiff 5:23
PC 372:1 375:8 376:4,6	petition 212:15 213:13 358:1,15 360:10,15 361:3 364:12,20,23 365:15,21	plaintiff's 397:15
peaceful 144:7	petitions 362:14,16 364:16	plan 237:14,20
peacefully 66:21 144:8	Petty 209:2	planned 183:6
pee 308:4	phone 25:8 200:14,19 264:24 265:5 299:23 387:16 388:5,6	plant 21:14
peed 425:18	phonetic 107:24	play 31:19 40:19 41:4 45:3,10 145:19 171:21 173:1
peewee 70:7 71:12 73:3,17	photo 14:10 190:24 194:8,17 196:7,14,18,20 197:9 198:14 199:23,24 324:10,15,16 326:4,6,9 420:16,24	playboy 185:2
pending 8:11 212:14 213:12 220:9 221:21 222:10 235:22 406:12	photograph 13:20,21 191:24 192:4,15 199:5 317:23 318:2,8 325:8,13	played 40:9
penis 313:3	photographs 13:16,19 189:18,24 190:3 191:19 318:16	playing 16:3 31:16 40:11,22 145:7 160:24 161:4 263:6 409:17 423:2
people 23:8 24:17 28:23 29:2,4 51:7 52:1,13,16,18 58:13,15 59:1, 23 60:1 63:16 64:19 66:22,23 73:11,12 74:19 82:18 83:12 84:23 86:2,19 87:5,12 91:19 92:2,13 94:6,20,21 96:23 103:22 105:20 108:14,17,18 110:24 111:2,3 116:4 117:11,13,15 119:3,7 120:21 123:23 127:19 128:1 132:8,13,14 134:18 136:12 142:7 149:16 165:20,24 169:23 171:19 173:12 198:16 204:23 211:6,7,10,14,17 226:17 230:6 244:19 299:19 300:17 302:19 304:23 305:14 310:19,20 331:18 337:12 359:3 363:4 367:20,21 384:10 386:14 388:4 421:19,22 423:18	Plaza 43:3	
	photos 14:8 189:5,10 190:8,16 196:17 203:12,18 324:22	plea 235:8
	physical 88:17 380:19 381:6,8,12, 15,21 382:12	plead 221:14 234:24 238:2 239:10
	physically 279:24 387:19 402:1 404:10	pleading 236:7
	physician 383:23	pled 352:19
	pick 17:2 162:1 273:4 274:12	plenty 26:17,18,19,20 27:1,5,22 237:9
	picked 212:6 214:15 215:1 349:2	pocket 165:20
		point 9:4 38:3,4 41:19 45:24 81:12 87:24 96:10,18 98:6 112:16 206:9 219:16 226:7 238:9,10,22 252:5 254:12,14 257:15 281:16 295:12 297:10 302:10 304:7 307:16 308:14 309:19 311:10 312:18,21 314:9 330:6,9 369:24 385:10 401:7 429:23
		pointed 254:18 273:6,18 274:17
		pointer 193:4

pointing 192:9 198:19 254:1,7,23 255:4 271:16	powers 105:10 prayers 198:2 predicted 237:11 predominantly 127:12 152:16 prefer 62:3 94:10,11 pregnant 316:12 317:5 prep 131:5 342:15 343:4 preparation 12:11 13:5,8,11,17 343:2 prepare 10:2,7,16 preparing 10:17 prepped 31:14 prepping 141:17 prescribe 378:2 prescribed 377:10 378:23 prescription 297:23 298:1,2 334:22 377:13 presence 323:6 present 8:16 9:1 26:10 144:21,24 203:22 205:3,5 212:19 228:6 234:14 252:20 261:11,14 262:3 279:16 299:5 307:4,6 312:4 323:19 349:14 351:19 386:1,8 402:14,21, 23 405:13 406:18,19 407:14,20 409:6,23 410:11 414:14 419:22 420:6 422:22 428:21 430:3 presented 342:4 pretty 22:8 23:14,15,21 31:8 65:5 75:9 101:6 108:14 125:10 152:10 237:8 300:15 304:5 383:14 previous 293:15 337:15 price 141:24 145:24 146:4 152:7 156:19 158:16,17 159:14 165:10 167:16 prices 160:9 primarily 207:12 primary 207:23 print 189:7 190:9 printed 9:18 prior 10:22 12:1 39:22 55:16 57:4 206:9 208:18 209:4 230:17,18 245:12 250:16 258:17,20 274:4 298:6 311:5 334:6 340:11 342:12, 22 376:18,21 377:7,21 378:11,15	390:23 392:13 priorities 117:19 prison 14:11 17:1,3 18:13 26:13 243:18 244:11 358:4 369:3 374:12 380:12,14 384:14 386:1,4,7,19 387:7,15 388:11 394:12,17,19,20 privilege 238:7,11 239:13 240:18 241:5 332:7 333:1 336:14 353:22 privileged 223:17,18 pro 358:1,14 364:12 problem 8:10 20:18 21:6 36:2,5 66:18,24 77:12 82:15 86:10 88:16 91:9,12 93:1,15 130:4 153:8 190:10 214:11 221:6 260:13 324:23 360:24 366:21 problems 77:9 81:21 82:8 87:13 121:23 procedure 12:19 proceeding 237:4 proceedings 430:15,17 process 21:24 22:11,20 383:8,14 produce 212:20 236:13 237:16,17 316:5 product 21:23 profit 131:7 profitable 126:5,7 130:19 131:19 132:1 promised 168:5 prompt 142:9 property 85:16 propose 236:15 pros 237:16 prostitutes 180:14,16 prostitution 180:7,8 protect 64:6 158:4 163:5 166:12 289:3 protected 156:17 175:13 372:14 protection 119:9 129:3,7 157:20 164:9 176:16 177:21 372:14 375:8 395:2,3,12 protective 371:19,21 372:5,9,17 375:11,21,23 376:10,14 prove 87:24 409:16
---	---	--

provide 9:20 302:10,13 303:10
314:5,17 343:12 344:3,18 345:20
346:2,13 400:13,17

provided 312:18 313:9,21 316:3
347:19 356:15 372:9 400:2,11
424:24 425:1,11 426:2

providing 305:1

psych 377:23 378:17,21,23 380:24

psychiatrist 340:16 341:1,4
377:19 378:1,5,12 379:12 380:4

psychiatrist's 341:8

psycho-medication 427:1

psychological 37:8

psychologist 377:20 379:3,12
383:24

PTSD 380:23 383:18 384:1 385:4,
10,16,20

Puerto 32:7,11,14 33:19 34:7,13,
18,21 35:6,8,10,16 37:6 45:9 46:21
47:1,4,8,10 48:5 49:11,16,18 50:5,
20 58:4 143:16 146:21 167:13
178:18

puke 383:5

pules 95:5

pull 114:1 162:3 164:16 189:11,13,
16 255:13 319:22,24 358:18
409:13

pulled 164:20 166:4 168:18 171:7,
24 172:5,7 349:24

punch 20:14 149:12 276:1,3

punching 20:15

punished 50:5,10

punishment 46:23,24 48:9,13

purpose 364:13

pursue 169:14

pushed 144:3 266:1 276:17,21
277:4,8

pushing 263:8,10 390:13

put 21:10,18 22:9 26:24 29:17
32:23 83:22 90:23 93:6 108:10
113:14,24 116:23 119:24 124:18
149:3 156:12 158:18 165:18,19
171:7 187:24 188:6 190:11 207:22
216:14 217:2,23 239:23,24 240:1
245:21,23,24 246:4 249:14,21
255:23 264:4,7,15,22 266:2,17,22

267:3,5,11 268:16,22 269:3,21
270:1,12 272:24 273:2 274:10,12
276:21 278:11,13 279:12 280:16
285:16,19 286:9,12,13 287:2,17
288:6 289:3 310:4 314:21 320:4
324:3 330:20 348:4 365:21 370:24
371:2 372:5,9,17 373:14 396:24
397:3 414:9 429:19

putting 141:16 198:2 284:3 290:19
293:20 294:2 324:5 405:23

Q

qualify 187:23

quality 66:18 179:13 193:21

quantifies 334:8

quantity 131:7,8,17 334:21

quash 341:18

Queen 109:22 110:1,4,7,8 111:20

Queens 109:14,15 110:13,17,20
111:12 180:11

question 7:10,11,13 8:2,5,11,12
54:22 62:7,11,12 67:22 68:16 73:1
76:13 79:6 82:10 89:23 90:5 91:14
97:12 99:19 109:11 124:20 128:8,
12 131:21 132:4 138:16 150:13
159:22 166:20 170:9 171:19 177:2
182:23 183:9 188:18 213:5 220:23
223:12 225:2 226:22,23 227:1
231:15 235:4 236:3 237:19 239:8,
14,17 240:22,23 241:12 265:15
280:3,24 281:10 282:3 289:24

290:6 293:10,14 294:16,24 301:16
306:8 307:15 314:13 315:7 321:7

332:18,23 333:21 336:22 337:1

343:17,21,22 344:16,20,23,24

345:2,3,12,23 346:5,6,16 347:5,7,
16 354:7 355:2,4,8,10,15 356:12

360:19,23 361:15 362:1,7,8,9

363:6,14 364:6,19 368:5 369:16

370:2 373:8 380:22 381:5 382:4

390:20 392:19 393:1 401:3,23

403:12 404:20 405:17 406:10,12,

14,23 407:8,23 408:12,23,24

409:21 410:3 414:8,13 415:22

416:14 418:13,15,20,23 419:1,14

420:1,19 423:2 424:2,20 425:5,7

427:20 428:20,24

questioned 224:9

questioning 129:9 291:24 309:17
397:17,22

questions 7:24 81:4,10 82:9

166:17 212:21 213:21 219:22
220:5 221:16,24 222:2,6,8 224:4
226:2,8,10 227:6 229:9,10 231:8,9,
13 234:2 235:20 236:14 270:11
280:1 281:5,8,11,12 282:10 342:6
343:17 344:12 345:7 346:15
347:22 393:1 395:17,18 398:6,11
408:20 409:11,18 413:17 414:15
415:16 416:21 421:4,6 429:14

quick 77:15 191:11 202:17,18
257:15 296:9 366:5 395:23 397:3
401:17 427:4

quickly 237:8

quiet 70:17 86:24 137:21,23 138:7
144:6,19 146:7 151:14 162:15
163:5 169:13,16,20 172:15,22

quietly 136:16 157:4 162:18
165:18

Quinones 111:18

quit 36:20,21 37:24

R

Rafael 18:24 19:2 50:11,19,24

Rahe 6:3,4

raid 135:1,5 139:9 144:10 146:17
150:10,19 151:3 153:2

raided 133:8 135:1,15,20 136:22,
23 137:7,19 138:10 139:2 140:4
153:10,18 156:5,13,14 158:8

raiding 135:23

raise 48:1 248:2

raised 51:6

raising 248:2

ran 123:22

Randolph 42:14 43:2

range 132:5

rank 118:16

reach 70:12 182:20

read 252:17 255:22 315:5 322:10,
13 332:17,19 333:15,18 334:1,3
336:24 337:1,3 345:4,5,6 359:20,
23 360:2 361:15,16 409:15 412:9
413:16,24 414:6 427:24 428:1

reading 325:15 414:2,12

ready 24:22 78:5 136:13 241:8
279:14 310:5 319:2 332:10

real 33:12,22 45:13 48:4 50:13,15
51:9 54:3 58:6,11 68:6 71:6,9
74:12,14 77:1 98:22 105:21 108:17
146:24 147:5,9 158:22,23 162:10
177:23 184:6,11 191:11 195:13
196:4,5 202:17 205:8 248:11 249:6
259:17 271:6 275:3 279:23 289:24
296:8 374:15,16 397:3 416:12

realistic 48:7

reality 429:21

reason 120:22 123:17 140:3
156:13 178:2 218:18,19 223:2
225:19 226:13 272:14 344:11
345:7 356:2 361:20 362:19 363:21
364:5 372:8 373:3 375:16 385:8
401:6,13

reasoning 223:18

reasons 241:16

recall 10:14 37:2,14,20 54:1 67:23
71:17 159:20 184:14 185:21 186:4
187:1 203:20 212:6,10 214:12
217:17 227:13 228:2 233:3 244:19
245:6,9,12 258:8 315:13 317:22
324:5 326:8,24 327:3,10 328:2
329:13 331:21 332:20 335:8 349:3,
7 355:23 357:24 365:14 412:3

recalls 365:12

receive 24:6 379:19,24 380:2,10

receiving 31:22 32:1

recently 30:20

recess 78:1 130:12 203:6 222:16
241:7 258:4 319:16 332:14 367:1
396:7 427:9

recognize 196:6,13,19 199:4
251:10 320:24 321:3 326:6

recollection 38:9 132:2 233:15
350:1,7

reconsider 429:23

record 5:2,20 6:24 7:22 8:21 19:23
77:23 78:3 109:12 130:10,14
171:14 203:5,8 212:13 220:19
221:20 222:11,13,14,18 232:7
257:17 258:2,6 319:9,14,18 321:11
332:9,12,16,19 337:3 345:6 366:8,
23 367:3 396:5,9,18,23 397:1,3,4,
9,10,12,14,16,19 410:18 427:7,11
428:1 429:20 430:15

recorded 321:4

recording 16:8

recover 151:10

red 56:10 191:2 194:22 195:2
196:1

Reddick 236:21

refer 9:19 51:4 72:15 246:18 247:1
384:3 413:3

reference 124:21

referencing 124:23

referred 59:9 205:15 339:20,22,24
398:7

referring 97:2

refresh 169:8

refused 81:16 316:6,19

regular 98:16 101:5 174:15 378:2

related 97:19 379:16 380:16

relates 238:11

relating 340:20

relation 33:3,8 150:10 187:2 224:9
392:2 394:22

relationship 27:8,9,17,21 29:1
87:5 204:15 207:19 208:7,13
337:16,22 342:22 388:10,13,16
389:1,17 391:3 392:12

relationships 27:22 29:4

relative 297:20

relax 182:8 385:1,22

released 26:13 380:14 386:7,19
387:7,15 388:11

relevant 81:21 360:16 397:20

relief 358:2 360:10 361:3

Relieved 361:8

remain 75:2 219:23 220:6 412:23

remember 10:9 14:19,21,22 15:2
33:10,23 34:12 35:1,4,14 38:5
39:22,24 40:15 42:19 48:9 49:5,14
52:15 53:23 68:1,3,11 69:3 71:4,6,
7,9,11,15 82:18 89:8 98:4 100:22
101:12 104:12 106:24 111:16
112:2,5 113:21 122:3 123:9 137:5
151:16 160:21 161:21 162:17
171:14 173:2 174:1 182:15 184:23
186:9 203:13 204:2 206:5 209:17

remind 100:1

rent 26:4 148:8

repeat 154:8 226:24 227:1 246:1
288:22 291:4,23 294:18 336:22
354:7 419:5,7

repeatedly 355:3

repeating 254:16 280:9

rephrase 8:3 235:17 236:3 239:7
240:21 349:19 355:9 369:17
398:22 403:13

rephrasing 253:23,24

reported 404:13

reporter 5:17 6:11 61:7,10 175:24
249:19 257:23 258:1 314:22 315:1,
11,14,24 366:17,20 405:6 407:7,
14,19 408:1,2,6 409:5,15,23 410:7,
14 411:21 413:7,19,20 414:19
415:13

reports 13:5,6

represent 5:21 86:8,10 171:16
243:12 253:18 308:23 323:8
328:16,22 330:2,3,4,10 333:9
339:1

represented 242:18 328:13 329:2
338:19

representing 5:14 93:10 253:22
340:15

reputation 163:4

request 372:5 430:5

required 373:19 374:12

reserve 430:7,9,11

reserving 429:15 430:7

residence 206:10

resolved 237:4

respect 63:24 84:18 93:7 95:1

respond 297:5 302:6

response	344:12 345:7	Rico	32:7,11,14 33:19 34:7,13,18,21 35:6,8,10,16 37:6 45:9 46:21 47:1,4,8,11 48:5 49:11,16,18 50:5,20 58:4 146:21	10,12,14,19 255:1 347:11,16 366:22 429:14 430:7	
responsibility	185:12	Rid	30:21,22	Rosen's	430:5
responsible	26:7	ride	30:4 259:23 327:11,14 349:2	roses	31:12
responsive	346:14	rides	29:23	rough	111:10 388:24 389:1,2
rest	40:23 120:3 172:24 308:11 369:9 372:2	ridiculousness	183:9	route	41:13 46:8
restaurant	29:10 147:21,23 148:1,3,5,10 150:1,3,6 152:9,10,15,19,24 153:4,11,16,19 154:6 155:2,6 159:14,16,21 160:10 161:9 163:8 169:9 209:18 210:3	right-hand	61:5 165:4,8 166:5 175:21 176:6,16	rule	79:9,10,13,14,18 80:4 84:3,8 149:5 187:21,23 211:4
result	212:15 213:14 380:7 392:15,20,21 393:5,8,14,16 394:15	rights	412:9,19	rules	7:8 78:14,20 79:1,3,9,13,16 83:14 84:7 85:9 160:16 370:6
resulted	47:10	ring	267:6,7 289:11,14	rumor	209:22 210:1
retain	229:20 241:22 242:9,21 243:17 328:17 329:6 341:24	rival	58:19 59:1,3 69:3,7,13 87:21 92:24 113:5 374:4,5	run	48:19,23 114:9 122:7 307:16 368:18 373:12
retained	242:14	Rivera	243:1,2,4,9	running	48:19 114:8 148:17,21 188:13
retaining	240:7	Rizzo	6:9		
retaliate	372:18 373:15	roads	30:5		S
retaliated	368:11	rob	85:13,15 126:18 212:1	sad	385:5
retaliation	367:15,19 368:23 372:24 373:9	role	74:3 118:11 227:23	safe	31:2 143:8
retrial	212:15 213:15	roles	66:16	safety	81:8,13
returned	218:9	rolling	113:15,17,22	sale	141:17
Reuck-	341:22	room	8:16 9:7,17 143:9,10 144:14,15,16,21 217:7,8,10,13 218:10,12,14 225:13 227:16,19 229:5 230:18 231:21,23 238:14,18 245:21,24 246:5,12 247:13 248:1,11,16,17,18 260:9 261:12 264:23 266:17,22,23 267:3 269:3 270:1,12,15,18,21 271:3,8 273:2,5,8,12,23 274:2,11,13,18 277:17,21 278:2,11,14 280:2,16 281:2,24 288:19 292:11,12,13,16,23 293:3 296:7 299:11 300:15,19 307:12,15,19 310:1,2,4 312:13 314:21 315:17,20 327:24 384:22 385:6 399:8 404:24 405:4 410:7 429:1,2	sales	43:21 120:3
Reuckert	341:22,23,24 342:3,13,16,20,21,24 343:1	Rosa	203:18 205:7,12,14,23 206:10,13,16 207:4,7,9,20 208:8,10,13 219:6,13 233:8,13 259:8 263:3 300:10,11,21 301:6,7,12,14,22 302:2,3 303:19 316:7,13,23 317:2 321:23 350:12,19 351:4 352:12 356:1,3 357:1 368:14,17 373:10,11 387:6	saliva	48:24
revealing	240:24	Rose	32:22,23 33:7 259:8 316:9	Sanchez	68:9,11 70:22 71:3,21 107:7 180:18,22 184:15 192:2 203:16 354:24
reverse	362:17 363:10,12,13	Rosen	6:4 193:4,6,8 213:7,9,17 220:16 222:11 236:15,23 237:12,18 238:13 239:1 253:21 254:3,8,	Sanchez's	355:12
reversed	364:1,4			sanitize	22:2,6 23:11,13
review	11:23 364:23 365:15			sanitized	21:22
reviewed	12:10 316:21			sanitizer	21:9,16
reward	179:21			sanitizers	23:9
Rey	159:14,17,18 301:21 338:1,3,7			Santiago	68:9,11 70:22 71:3,21 72:18 107:7,11,15,16,18 118:23 162:2 163:9,16 166:5,8,14,24 167:17 170:1,2,3,6 181:5,7,8,18,20 184:15 187:15 188:22 192:2 203:15 354:24 355:12
Reynaldo	5:9 159:11 304:18			Santiago's	188:9 189:10
rhythm	41:9			Sara	388:17,18,21,23
ribs	284:20 286:14 294:2			sarcastic	237:13
Rican	143:16 167:13 178:18			sat	278:15 311:6
rice	48:11			save	29:18
Rick	328:16,17 330:4,8,11 335:18,21,23 336:3,10 337:3 338:18,24 340:15				

Sawyer 65:12 148:2	selling 42:3,5,6,8,15,20 43:5,22 44:4,7,16,17,18 47:14,15,23 49:2 51:20 52:4,6 53:21 54:14,15,16,17 55:2 56:22 60:2 64:19 75:9 85:20 86:20 101:10 113:1 118:22 120:16 121:17,19 124:14,16 126:5,6,10 127:2 128:1 130:18,19,24 134:6 140:8 144:22 151:13,18 152:4,8 157:8,20 163:24 166:9 167:22	setting 29:3
scale 142:16		seventh 191:14
scared 146:8 234:14 272:21 282:24		Seville 55:21 56:7,8,11
scaring 232:3		sex 179:18
scene 348:5,13 349:23		shadow 28:3,4,5
Schatzle 5:13		shake 7:18,20 304:5
schedule 174:11		shaking 297:12 323:3
school 34:17 35:7,8,11,15,17,18 36:8,14,19,21 37:21,23,24 38:3,24 39:3,5,8,9,11,17,23 40:3,5,6,7 41:1,11,22 42:2,24 44:10,12,21 45:11,12,16,21,22 49:9 51:20 52:10,12,14,18,19 55:1,10,11 57:14,15 58:7,9 67:13 74:17 84:9 97:7 99:10,11 133:1,3,12 135:4,16 387:1 415:23 416:2		Shannon 6:8 396:14,17,22 397:2, 6,14 398:2,22 399:1,11,19 400:9 401:9,16,22 402:5 403:13,14 405:8,20 407:12,23 408:9,17 409:2,10,19,20 410:4 413:18 414:1,7,11 416:5,13 417:3 418:16, 18 419:6,20 420:4,12,22 422:16,17 423:4,5 424:7,12,23 425:9,10 426:21 427:4,12,21,24 428:19 429:5,10 430:4
schools 415:19		share 255:8 319:21 358:22
science 416:3		sharing 132:14 298:5
scientific 384:8		sharpened 370:23
scream 286:8		sheep 46:2,10 109:8 183:22
screamed 308:6		sheets 265:18
screaming 248:11,14 275:4 277:14 286:7 384:22		shift 268:1,3
screen 189:12,14,16 190:11,13, 16,18 249:15,22 250:7,13 255:9,13 319:21 320:4 321:15 322:4 324:20 330:21 331:2 333:8 358:22,24		Shih 18:22
scroll 320:21		shine 42:11 43:14
seal 21:19		shined 42:9
search 141:3 144:17 169:5		shines 51:21
searching 134:12 141:5		shining 43:4,7 44:3,6,8
secondary 35:19		shirt 194:9,22 199:8 201:23 271:21 274:21,22,23 275:2,19 276:15
seconds 221:5 336:19 429:13		shit 258:22 425:18
seeking 329:18 381:22		shock 156:3
seg 371:4		shocked 156:7
segregation 370:15,18 371:1,3,6		shocking 153:19
seizures 233:11		shoe 51:21
sell 31:1 41:18 43:1,17 44:13,14 55:7,9 60:7,10 63:13,16 64:7,11,13 65:3,19 73:13 74:8 75:8,14,18 84:14 85:16 119:24 120:2,19 121:13 124:7 125:11,13,21,23,24 126:1,3 131:5 136:11 151:23 188:14,21 387:2		shoes 42:4,9,12 43:4,7,15 44:3,6, 8,17,18
	set also 128:20	shoeshine 43:8
	set's 66:3	shoot 126:20
	sets 59:13 60:14,20 61:17 62:9 63:3,6 66:6 76:19 77:2 78:8 86:9 88:9 94:4,8,19 99:15 122:15 125:3 169:17 172:15	shooting 91:6 114:5 210:8 219:8 221:11 224:9,10 226:11,15,19 227:9,14 320:22 348:9 349:8,15 353:2

short 236:22 247:14 369:4	131:21 132:20 133:10 150:18 166:20 170:20 174:24 175:8 181:24 185:19 190:24 191:4,16 192:5,7 194:11 196:14 198:13 199:2 200:4,9,17 202:5,13 204:9 211:11 220:3 225:7 227:4 234:18 236:7 238:1 239:18 241:17 244:1 246:2 247:3 249:16 251:8,13 255:21 256:5,24 260:13 270:17 271:1 280:24 281:3 286:20 287:1 291:12 292:13,20 295:17 296:19 298:13,20 301:18 304:17 311:4 318:24 320:24 321:13,14,17,19 322:4,7,20 323:10,12,17,23 324:8, 11,14 325:2,11,14 326:14,24 327:9,16 328:1,4 330:13 331:5 333:3,7,12 335:17 340:3 341:12 342:8 343:11,21 344:2,11,23 345:6,14,17 346:10 347:1 349:7,19 351:12 352:18 354:10,22 355:7,18 356:9,24 358:6,22 359:7,13,14 360:2,24 361:20 362:11 363:6,20 364:10,18 366:4 368:14 369:2,5,8, 16 370:1 371:17 372:20 373:5 376:9 381:11 382:10 383:11 384:14 385:23 386:6 388:9 390:11 393:5,16 395:16 404:15 406:9 407:13 410:17 411:24 413:3 414:12 415:17 417:5 421:4 422:18 424:2 426:10 427:13 428:1	sleeve 192:16 slept 278:2 slip 268:12 small 16:7,8,15 53:3 123:23 124:5, 22 131:7,17 141:24 145:24 165:11 167:21,22 168:1,3 170:14 335:6 smaller 124:23 smart 136:18 375:20 smelling 310:3 smoke 113:23 129:21,24 130:3 162:4 163:19 208:15 334:17 383:1 smoked 162:22 smoking 124:12 125:14 163:9,19 385:15 snake 188:13 Snakes 424:20 snatch 148:20 snatched 150:9 sneak 126:17 sneaking 134:16 snitch 173:3 snitching 173:8 snort 79:19,22 snorting 155:11 soccer 45:4 social 90:18 93:17 105:20 387:11 416:3 socially 97:9 sold 30:8 54:19 74:11,15 75:11 121:5,11 123:23 124:5 125:6,7,8, 16 126:2 solve 66:23,24 somebody's 80:5 112:17 363:2 someone's 363:7 son 148:14,15 178:16 179:6 184:24 205:17,21 316:12 387:14, 22 sorts 201:24 sought 380:15 sound 32:24 107:4,5,6 116:3,21 117:1,4,6 130:7 161:17 171:7
sides 160:24 161:3	siren 164:21	
sign 23:17 245:13,15,16,20 246:4 253:13 316:4,6,10,20,21 317:8,9, 19 321:20 322:9	sister 15:23 18:5,8,9,15 32:19,22 50:16 51:1 53:5,9 109:10,13,19 140:14 259:8 262:6 263:3,4,21 268:16 298:15 299:1,6,13,16,17 300:8,11,16 303:16 373:10 422:8, 22 426:1,4	
signature 253:11 256:23 257:2 321:16,18 322:2,6 325:21,24 326:2,6,14,15,16,17,19 359:11,13, 15 360:6	sister's 365:4	
signed 246:8 253:10 256:16,20 257:4,7 316:9,14 321:22 322:8,23	sit 43:11 51:14,16 56:20 112:13 160:6,13 248:4 311:21 420:5	
significance 93:20	sitting 8:17,19 14:14 113:15 163:16 283:20 309:9 315:13 382:6 405:5,7	
significant 26:10	six-pack 116:23	
signing 245:19 326:3,5,9,17	skills 22:5	
silent 219:23 220:6 412:24	slap 276:1 282:21 283:9,10,16 285:7 293:17	
similar 266:23	slapped 271:24 275:8,22,23 276:21,24 277:1,3 283:17 285:10	
simple 120:1 169:15 173:21 246:24 336:8	slapping 279:24 390:12	
simply 237:20 254:15 255:2	sleep 383:19 385:1 386:15 388:4 426:19,24	
sir 14:19 18:4,18 36:2 37:16 46:24 47:20 57:22 67:4 69:6 71:10 112:3 120:12 123:19 127:6 128:12		

sounded	91:18 183:5	244:7 300:8 302:2 307:18 308:24	16,22 414:12,14 415:1,2,6,10
soundproofed	16:18	309:8 316:13 378:6,12 398:19	428:7
sounds	99:13 116:5 182:20 401:14	399:12 416:17	
south	76:11		
southeast	264:6		
Spanish	38:15,17,18 115:5 138:4 140:1 143:19,21 207:9,11,14,16 208:1,2,4,6,9,10,12 216:4,20,22 217:16 225:18 227:6 240:3 244:3,4 251:15,16,20 271:18 273:18 306:15 315:8,10 329:9,12 335:21 341:9 403:1,7,16 407:5 413:2 414:17 415:24 417:2 422:13,18 423:8,10,12,22 428:13 429:3,7,9		
Spanish-speaking	225:11 228:9		
Spaulding	65:13		
speak	10:1,6 38:21 84:21 138:2 139:20,22 207:9,10,11 208:1,2,4,5, 12 217:12,14,15 218:13,17 228:15 230:19 240:3 244:3,4 251:20 253:21 300:21,22,23 305:6 306:14, 15 316:16,22 329:9,12 335:21 336:3 341:6,14 404:15 406:24 407:1 412:16,22 417:2,13,15 421:18 422:13,18,21 423:8,10,12, 22 428:14		
speaking	7:9 217:15 227:13 245:6,12 340:19 347:12 399:2 421:19 429:3	117:7 193:12 195:5,23 200:8 201:2 217:17 299:8,10	
specific	61:19 62:15 78:14 79:3 97:15 355:10 413:17 417:5 421:7		
specifically	10:11,14 12:3 78:9 84:7 92:4,6 153:6 161:11 270:13	start 6:23 8:15 26:6 40:11 44:16 47:7 48:19 53:20 62:8 85:20 91:5 113:16 114:8 121:23,24 169:7 205:7 210:11 228:3 282:21 284:1 293:18 307:14 332:3 333:17 364:18 386:20 390:19 391:21 393:4 397:21 409:17 428:7	
Spector	329:3,7,9,14,17 330:7,10 332:3,7 333:5 335:18	started 40:21 46:19 55:4,12 57:14, 15 58:7 69:19 70:6 146:14 148:20 156:23 163:24 165:11 167:20,22 168:1,3 170:14 174:9 205:23 206:5 248:2 254:16 271:15,19 279:24 282:19,20 283:6,15,19 297:14 308:9 312:16 328:24 380:21,24	
speculation	363:15	starting 79:21 242:2	
speculative	401:3	state 6:23 227:15,17 236:19 237:7, 15 306:2 309:24 331:18 359:3 394:12	
spell	19:22 20:9,19	state's 227:13 228:16 305:7 306:5 307:19 308:12,15,17 309:1,11 311:6,16,19,21 312:8,12 313:18,19 314:11 315:14,19 322:22 323:5 327:12 398:7,11,19 418:9 419:21 420:6 425:20 427:16 428:3,21	
spelling	251:14	stated 348:17	
spend	27:10 28:8,10,16,17 29:5 118:18 184:7 314:4 412:1	statement 314:10 316:2,4,9,14,19 317:19,23 318:1 319:23 321:2,4 322:11,16,17,18,21,22 323:5,6,11 326:24 327:3,7,9,13 328:2 345:16, 20 348:21,24 349:4,12 350:2,3,5, 13,21 351:2,10 405:11 413:6,9,13,	
spending	200:3		
spent	394:6		
spit	48:15,17		
spoke	10:4 133:20,21 142:4 143:18,20 208:10 225:9 241:14		
street	5:15 42:6,8 48:21 58:1 59:24 60:15,17 71:7,9 95:16 96:19 100:13 101:17 106:7 108:14,16 109:1 115:21,23 136:4 147:8		

148:16,17 151:13 161:23 165:17	suffer 373:18,21 376:19 384:15, 17,19	242:13 366:4 386:17
195:13 196:3 210:19 259:10,11 379:1,5,6 383:21	suggesting 255:2	switched 63:6
streets 25:11 60:16 261:7 387:2	suicide 183:10 184:16,17 185:15 197:12,23	switching 129:14 234:18 241:15 242:17
stretch 77:16	Suite 5:15	sworn 6:13,16
strike 36:17 58:18 79:1 207:18 214:19 219:11 235:16 236:2 240:22 266:4 281:21 299:14 327:1 373:8 393:24 398:22,23 403:13 404:5,13 406:13 417:17 422:12 423:8 424:24	summer 34:17	swung 288:10
strong 87:22 117:4	Sunday 79:23	symptoms 385:13,16,18,19
structure 66:12,15 72:18	sunglasses 201:22	system 107:5,6 117:4
structured 61:3	super 22:18 55:20,24	<hr/>
stuck 260:3 374:17	supersport 30:8	T
studies 416:3	supervising 22:21	table 279:13 282:14 293:11 405:6
studio 16:7,8,15	supplier 157:12,13	taking 64:17 155:20 297:14 298:4 301:9 366:18 382:23 385:9 386:20
studios 17:11	supply 157:15	talent 73:5
stuff 12:23 13:1 16:3,22 17:11,12 23:9 24:8 29:15,16 31:12 38:11 41:20 44:2 46:4,5 47:12,13,17 49:21 50:7 51:12 52:18 81:21 84:19,20 88:1 89:17 93:5,9 127:15, 18,19 134:13,21 136:7 141:16,17 142:15 148:8 150:23 155:20,21 161:11 162:1 169:5,9 190:6 198:3 208:23 209:1,3,12 210:3 212:2 215:23 220:1 222:3 223:16 232:22 233:24 234:2,16 244:2 253:15 265:18 270:11 274:10 278:23 279:1,3,18 290:7 293:21 295:22 296:9 311:9 313:11 315:1,6 318:18 336:9 341:6 343:8 357:9 370:10 371:16 377:24 380:19 385:3 388:20 391:22 413:2 416:4 423:13 426:24	support 182:21 338:11 345:20 346:3	
stupid 86:2 185:14	supposed 14:16 47:17 63:16 89:16 91:21,22 112:19 149:5 173:15,16,18 182:5 234:10 236:18, 20 237:19 262:12,14 300:1 310:8, 24 330:12 335:10 357:6	talk 10:8,12,15,20,23 11:8 12:3,7 17:7 21:4 28:22 39:21 51:16 86:12, 15,16 92:3,13 94:9 103:18,19 138:4 144:10 146:2 150:2 154:2,13 155:14 159:19,23 160:2,3,7,9,13 161:9 162:7 166:22 167:16 168:19 169:9 170:2,4 176:14 181:3 195:15 198:10 206:13 208:19 211:16 226:6 231:3 234:5 248:6 271:9 273:1 274:8,15 278:22,24 279:14, 16,19,20,21 283:1,2,14 293:12 298:24 307:8 308:15 317:2 322:21 329:14,16 330:8 332:9 333:4,22 339:5,14,15,17 340:22 341:3 342:12,15,16,21 343:1,7 344:17 346:22 350:21,22 356:22 362:24 368:17 375:3 376:4,16 377:19,22 378:16 379:3 380:3,4 384:2 387:17 396:10,12 402:12,16 422:9 424:1, 17
subject 369:13	suppress 329:15,18 330:15 331:22 332:21 341:18 342:4 343:3, 12 344:3 345:15	talked 7:7 10:3,5 126:9 137:22 138:6,8 141:2 144:21 157:10 159:13 162:11 166:24 169:11,23 181:20 203:24 205:6 224:2 225:6 230:24 231:18 232:16 240:24 244:16 262:19 271:5,6 280:17,20 281:1 282:7,11,14 289:18 292:22 303:12,15,18 308:12 310:4 319:23 321:23 322:20 337:17 339:9 350:19 421:5 424:16
subjected 369:19	surprised 149:23 153:17 156:4 276:12	talking 45:17,19 78:8 88:12 90:12 92:1,2,3,5,6,8,11 95:1 130:17 140:1 145:18 155:9,12 167:1,4 169:7 170:6 183:3 191:8 200:10 203:12 204:2 209:19 216:3,7 233:4 236:6 244:19 248:12 252:2,20
subsequently 229:17 328:8 394:21	survive 74:23 85:6 387:3	
substance 209:10 212:16,18	suspect 236:21 237:2,7	
substantial 334:7	sustained 334:8	
sudden 148:23 215:19	Suzuki 30:10,11,12	
suddenly 177:21 247:22	Swaino 422:4	
sued 354:2	Swano 240:15 241:23 242:5,7,9, 14,21,22 243:12,15,17,21,23 244:3,5,7 261:18 262:12,20 328:20,22 329:4,5,6 422:3,5,6,13, 14,15,16,18,21	
	swear 6:12	
	sweater 93:4,6 215:9	
	sweatshirt 93:22	
	switch 62:20 63:3 240:16 241:13	

273:10,22 275:14 299:6 301:8 320:15 331:21 332:1,20 340:16 341:9 365:8 380:8 386:6 391:22 396:21 398:12 405:24 406:6,7,8 412:1 420:3	testify 12:4 344:12 345:7 352:3,7, 10,13 357:1	161:24 168:21 238:23 304:23 362:21
tall 144:1 196:5 206:21	testifying 341:17 342:12 345:18 346:10 352:20	throwing 215:21
Tank 71:12 72:23 73:16	testimony 67:16 73:19 91:14 120:7 290:18,20 291:4,10 292:15, 17 295:15 342:13 343:2 344:8,17 347:6,8,19,21 349:17 351:24 400:6,16 401:13 402:6 403:15 405:18 407:22 416:9 424:3	thrown 345:16,21 395:13
taught 28:19 415:18 416:6	text 200:5,6,20,22,24 201:11	Thursday 326:21 327:1,4
taxes 122:22	Thampy 340:17	tied 110:18 174:10
teach 151:12,18 156:21	That'd 366:10	ties 204:12
teacher 40:22	theater 182:6,10,11 183:7	tight 413:23
teachers 416:16	thin 160:23 164:6 386:12,13	till 186:21 207:21 319:11 331:15
team 23:12	thing 14:3 16:2 17:9 21:18 37:9 41:8 50:17 84:9,11 102:23 114:7, 10,11 117:21,22 119:9,18 132:9 148:5 149:19 151:14,15 155:12 156:21 160:15 168:12 173:19 174:13 180:5,6 205:6 209:21 211:6,14,17 248:12 256:10 269:22 280:2,9 288:22 289:24 290:5 291:23 293:22 294:6,11,19 296:5 302:18 311:23 312:17 317:7,16 323:7,13 338:15 357:11 363:2 365:24 384:2 385:21 386:13	time 8:1,9,10 10:8,10,18 24:20 26:10 27:10 28:8,10,16 29:5,13 30:23 31:16,23 32:2,13 38:6 40:1,2 43:5 44:4,6,11,20 45:3,5 47:4 48:16,22 49:3,17 50:1,18 53:8 56:3,12,15,16 62:5 67:9,12 69:24 70:1 74:24 87:22 97:8 98:4 100:13 102:18 111:19 112:6,8,22 116:16 117:18,21 121:17 127:2 129:15 133:2,11,19 135:16 140:23 146:18 147:1 153:9,10 154:2,10 160:10,13 164:5,23 168:11,14 170:24 171:1 174:8,10,16,24 176:8 178:17,19 179:13,17 182:8 183:14,17 184:15 185:3,5 186:4,9,13 195:15 200:3 207:23 212:19,21,22 218:3,4 219:6,8 222:24 223:12 224:15,21 225:4 229:2 234:18 236:12 244:7 258:11 259:3 260:4,19,24 261:1, 18,24 267:15 269:8,14,20 270:13 273:24 279:9 280:12,17 281:1 282:13 283:10,14,23 284:7 285:24 286:1 287:23,24 288:3,17 289:18 290:8,10,15,19,22 292:4,6,12,15, 22 293:2,4,8,9,13,15 297:24 300:17 301:24 302:7 304:3 307:23, 24 308:9,19 311:5 313:23 316:11 319:8 327:19 330:6,11 332:22 333:18 334:9 337:11 340:9 353:6,8 355:5,20,21 357:8 365:20 366:7 369:4 371:12 372:2,22 373:22 376:23 377:9 378:8 379:9,11 380:20 382:9,18 386:7 387:21 388:4 392:5 394:6,24 395:6,20 396:2,19 398:16 399:8 401:17 404:12 408:7,8 412:4 414:2 415:17 416:20 418:9 419:10 423:19 428:16 429:15 430:3
ten 27:2 74:6 130:2 265:3 268:24 283:12 300:24	things 14:1 22:18 24:24 26:23 28:13 31:15 32:4 47:9 50:4 81:19 84:15 85:22 86:9,24 92:3 105:2 116:9 118:8 122:7 127:10 136:1 152:17 162:16 165:16 166:2 170:19 171:21 172:22 175:14 182:19 184:5 185:6,7,17 223:7 255:16 279:17,23 336:8,18 370:9 409:14	times 10:6,9,11 14:15 28:11 46:21 127:10 149:13 171:18 179:11,12 184:7 185:8 269:12 271:4 277:6 281:11,14 282:8 283:9,16 285:1, 12,22 286:10 287:5,20 288:2,15 289:19 291:11 292:21 294:12
tend 92:2	thinking 113:23 114:10 165:21 215:21 216:17 262:1 263:6 268:15 385:3	
tense 252:21	thought 13:2 26:7 46:1 114:12 142:6 161:16 166:23 171:13 247:23 292:20 293:19,24 294:1 306:10 340:23 361:7 371:15 394:16 407:1	
term 80:10	thousand 131:13,15	
terminology 80:13	threaten 316:24	
terms 20:9 364:3	threatening 302:3	
terrible 408:20	threw 367:7,23	
territories 93:1	throw 48:11 148:7 160:19,20	
territory 64:4,5,7,24 65:11,14 66:8,9 75:23,24 77:8,11 87:6,17 91:11 92:23 95:2,5 110:19 113:2 152:20 210:5,10,11		
testi- 348:16		
testicles 313:3		
testified 6:16 291:2 341:21 343:11 344:2 345:15 351:18,22 353:1 399:20 405:14 406:15 409:3,8 413:8		

298:7 307:22 335:12 357:23 377:5	300:1,2 387:18	true 17:7 164:4 173:8 234:11 322:16 360:11 413:13,14 415:18 424:4
timewise 295:5	touched 117:19	trust 151:22 422:11
Tina 399:21,23	tough 33:22 73:7 142:17	truth 47:23 275:17 350:10
Tino 71:13 96:21,24 97:1 302:11 304:8,13 305:3 311:5 312:19 313:14 314:8 348:19 349:1,22 351:18 352:9,19 399:23,24	towels 232:13	truthful 222:21
tiny 50:17	Toyota 53:22,24 54:2,12 55:14 56:4	truthfully 223:3
tired 44:1 166:17	trade 127:20,21	tumor 183:15
title 72:11,15	traded 127:10	turf 64:24
today 5:17 6:20 8:1,9 10:12,16,20 12:4 13:5,8,11,17 39:22 88:4 157:17 206:13 250:16,19 334:1 389:19 420:5	trails 30:4	turn 48:23 114:7 164:22 169:6 216:16 229:2 263:7 275:13 307:9 386:18 408:17
today's 430:14	transfer 328:10,11	turned 215:22 263:20 272:4 282:15 305:16
toilet 308:3 309:4	transferred 230:12,17,19 318:10 327:21 328:8 369:6 405:4	turning 46:19
told 47:21,22 84:3 105:24 107:7 109:24 130:18 140:18,21,22 145:5 149:14 156:12,15 157:19,22 158:3 159:13 160:2 161:8 162:11 165:4 166:5 167:15 172:6 173:16 175:6, 20,22 176:5 178:11 205:2,10 210:16 213:24 218:19,21 226:12 234:3 245:20 248:5 260:22 262:6 268:15 271:21 272:6,15,17,24 274:6 275:16 277:16 278:16,17,21, 22 279:5 282:15 295:12,13,21 296:1 297:7 299:17,20 300:2 301:2,7 302:3,8 303:8,21 305:23 306:1,11,19 307:7 308:21 311:13, 23 312:6,8 314:2 317:5,8,11,12 321:22 335:17 337:23 338:2,9 339:15 346:23 351:20,21 352:23 353:4 354:14 355:18 367:12 368:14 372:11 376:21 377:9 380:22 381:23 388:9 402:6,10,19, 22 403:7,16,22,23 404:7 428:12	turns 7:9	
ton 121:17	translated 306:16	two-minute 319:3 366:9
tone 93:7	translating 407:6 428:14	type 21:17 38:24 48:13 60:19 72:17 88:5 90:17 118:11 123:17 129:5 148:3 149:16 367:14 372:24 380:10
top 116:23 149:7,11 169:3 252:14 253:19 256:3 284:2,8 285:1,11,19, 23 293:18 333:13 359:18	translator 244:6,8 306:13 308:22 329:11	typed 251:6 256:15 322:21 323:13 413:6
topics 129:14 366:5	travel 25:2 34:19 43:13	typed-up 316:3
Torrence 320:23	treasurer 61:6,9,12,16 73:3	types 28:13 29:4 47:9
tossed 361:23	treat 82:18 89:14 120:20 178:21 384:1	typing 315:24
total 411:1,24	treated 89:12	Tzu 18:22
touch 17:17 69:1 148:24 284:5	treatment 31:23 32:2 379:20 380:1,3	<hr/> U <hr/>
	treatments 381:22	
	trial 181:6 213:15 237:7,8 262:15 351:3,13,15,17 352:3,10,13,18 353:2,5,6,7,9,12,13,14,19 354:11, 19 374:10,11	
	trick 237:19 408:22	uh-huh 7:18 67:8
	trigger 350:1	uhn-uhn 7:17
	trip 149:6	ultimately 39:2 180:18 317:19 357:14,22
	tripped 150:9 151:1	um-hmm 58:21 69:23 170:16 187:10 190:23 191:15 192:22
	tripping 149:3	201:12 250:2 260:10 285:13 291:18 298:13 318:24 325:20 359:19
	trombone 40:10,12 41:4	
	trombonist 40:17	
	trouble 22:23 54:4,6 59:21 80:24 85:22 86:7 105:4,5 122:5,18 141:22 142:1 144:22 145:23 146:2, 14,16 162:24 163:3 173:9 183:24 259:1 262:10 317:14 329:6 369:22, 24 372:3 375:7 426:8	
		uncles 53:11
		uncomfortable 238:20
		underage 179:23
		underneath 73:15 359:21 361:9

understand 8:1 14:2 19:10 62:12, 14 63:19 64:3 67:4 71:16 72:16 73:22 76:13 79:11 80:21,22 81:3, 18,23,24 90:6 92:18 135:12 146:1 150:14,16 153:5,7 164:14 183:2 207:15 211:11 217:23 220:4,14 222:1 224:8 246:19 255:10 271:1 286:20 294:17 306:9 344:23 345:1, 10,11,16 346:6,8 356:19 362:1,6,8, 12,24 363:20 364:7 372:19 383:11 398:12 401:11 403:23 412:15 414:22 417:7,12,24 418:1,13,22 419:2,16 421:22 425:6,7 427:22,23	Veras 102:21,22 103:7 104:1	waiting 226:3 268:1,4 274:11
verbal 391:9,13	waive 429:17	waived 336:14 353:23 354:2
verification 23:16	walk 28:15 48:19 77:8 93:7,10 139:14 141:7,12,18 144:18 168:19 264:5 373:4	walked 137:10 156:1
versus 5:9 121:15	walking 33:23 93:3 141:10 148:13, 14,16 160:24 164:5 209:17 215:13, 16,18 216:13 262:24 271:20 349:1 383:20,21 426:6	wandered 383:22
vicinity 209:23	wall 84:19 165:19 171:5 263:8,11 264:8 267:6,7,9 286:18 289:11,14, 15 399:10	wanted 62:21 70:18 75:18 87:4 110:12 129:9,10 140:20 141:10 157:1,2,16 164:7 169:14 174:12 175:13 183:23 186:8 190:12 233:22 234:5,14 242:12 268:14 271:2 278:21,22,24 279:21 294:5,6 295:13 296:2 302:18 303:2,13 304:23 305:11,12 306:4,23 310:21 312:1,4,9 314:5 315:2 317:16 335:15 341:5 357:1 361:6 365:16, 17 372:11 390:17 402:11 406:24
video 5:2,4,20 77:23 78:2 130:10, 13 203:4,7 222:14,17 258:2,5 319:14,17 332:12,15 366:23 367:2 387:17,21 388:2 396:5,8 397:9,12 427:7,10 430:15	videoconference 11:11	wandering 383:22
understandable 14:4 16:11 37:13,18 207:17	Vincent 6:9	wanted 62:21 70:18 75:18 87:4 110:12 129:9,10 140:20 141:10 157:1,2,16 164:7 169:14 174:12 175:13 183:23 186:8 190:12 233:22 234:5,14 242:12 268:14 271:2 278:21,22,24 279:21 294:5,6 295:13 296:2 302:18 303:2,13 304:23 305:11,12 306:4,23 310:21 312:1,4,9 314:5 315:2 317:16 335:15 341:5 357:1 361:6 365:16, 17 372:11 390:17 402:11 406:24
understanding 24:20 32:6 46:15 65:20 66:7 103:24 237:14 283:4 356:24 376:9	violated 83:10,13 122:9 394:16	wanting 383:16
understood 8:6 82:7 215:15 216:19 227:17 246:10 261:24 263:13 345:14 360:22 405:10 421:15	violating 121:1 370:5 395:1,3	war 85:3 224:23
Unit 5:2 77:24 78:3 130:14 203:5,9 258:3,6 319:15,18 397:13 430:16	violation 80:10,12,14,16 82:11,12, 16,24 83:4 370:19 395:11	warning 80:3 116:15
United 5:10 32:6 34:10,23 35:2,11, 12,16 36:8,11,15 37:1,6 50:23 58:4 415:19	violator 394:14	warrant 139:16,19
Units 130:11	violence 88:2 390:5,23 391:2,11 392:16,22 393:6 394:16 395:11	washing 141:8
unknown 334:21	violent 89:21 90:1,3,8,9,15 93:9	waste 401:17
unmarked 164:19	visit 34:9,11 244:2 245:8 351:4,8	watch 82:4 124:8,14,17 373:13
unrealistic 347:20	visitation 185:16,21 186:2,5,10,21 187:2 354:23 355:13	watching 126:14,15,16 134:12 136:6,21 142:7 383:19
upper 192:14	visited 108:6 234:20 245:9 368:15	weak 96:12,14,15
urinated 309:1	voice 248:2,3	weapon 215:23 216:20,21 234:9 370:11,19,20,22
urine 309:9	vouched 158:8	wear 93:21 110:9 143:14 197:7 381:20
Urlaub 5:14,18	Voyant 19:15,18 20:5,21,24 21:2, 15,16 23:1,2,5 24:10,11 25:5,7,15	wearing 94:1 201:23
useless 190:9	<hr/>	weed 75:10 113:24 124:12 125:14 179:18 208:15 334:17 383:1
usual 23:4 154:12	W	week 84:4 131:24 153:12 185:24 245:10
<hr/>	Wabansia 61:24 62:1,2,20 63:4 64:8,18 65:1,10,13,20 67:11 69:20 70:5,16,20 71:22 72:8 74:9 75:1, 12,23 76:15,20 78:9,13 87:8 88:7 94:8 95:3,18 96:6,17,24 104:17 105:11,23 106:15 107:8 112:10 114:19 125:2,9 126:24 128:5,14 135:20 152:21 187:16 210:6,7,12, 14 218:23 243:11	<hr/>
V	wage 24:1	<hr/>
V-O-Y-A-N-T 20:21	wait 7:10,12 55:18 122:6 221:3 235:13 237:1,3,5 267:14 269:4 348:16 392:18	<hr/>
vacating 213:14	waited 217:20,21 226:4,5 267:10, 12,15,23 348:14	<hr/>
vacation 24:7 34:17		
Vegas 154:23		
vegetable 31:11		
vehicle 25:16		

weekend 79:20	wonderful 28:24	237:11 347:8,15,20 351:13 369:7
weekends 84:5	wondering 74:1 159:20 227:7	379:15 382:1,15,20 388:22 421:16
weekly 130:22 174:13	wooden 43:9	yelled 275:20,21
weeks 23:3 153:13 239:23	woofer 116:24	yelling 254:8,12 282:20
weigh 382:8	word 64:24 72:4 177:21 240:5	Yellow 279:11 281:17,19 282:1,6
weighed 382:7	282:23 323:14,22 381:6	287:3
weight 382:7	words 290:19	yesterday 11:4,5,7,14,20 12:1,5
weird 102:19	work 19:13,14,15 20:23 23:4,8,12,	22:14 189:19
west 209:16 246:16 247:2	22 25:6,15,18 28:9,14 41:8,17	YLO 224:24
whereabouts 167:5	42:16 49:24 158:5 187:22 227:16	YLOD 224:10,17
wheres 118:5 232:20 247:21	243:16 244:15 257:21 308:20	young 17:3 31:3,4 32:12,13 33:12
309:18	324:19 342:2 384:6 385:4 387:3	34:16,22 35:5 36:22 37:4,23 39:19
Whipple 114:19 243:10	389:16,17 391:8 416:2	42:21 49:6,7 50:13 54:3 57:11,13
whisper 238:16	worked 99:17 124:5 138:22	58:6,11 84:8 87:21 89:9,16 112:7
whispering 223:7	147:17,20 248:24 403:6 420:23	117:8,9 132:24 133:4,22 151:17
white 143:15 189:15 190:9 192:21	working 21:12 22:10,14,24 23:2	174:3,5 205:8,9 276:4 308:20
193:13 194:23 198:21,24 199:7,8	42:16,18 84:4 98:19 157:17	309:24
271:16,22 275:5,6 335:6	works 12:7 183:10	younger 33:5,6,14 37:3 67:18
whoa 149:22	world 110:5	<hr/>
Whoever's 396:10	worry 93:8 146:13 159:3 238:21	Z
whooped 146:24	272:23 274:8 317:16	Zehner 6:4
Wi- 320:23	worse 385:14 386:11,18 417:16	zoom 7:6,7 9:10,12 193:20 199:18
wide 116:19	worthful 127:17	
wife 80:6 97:19 185:4	wow 30:19 76:16 107:6	
Wiley 246:18,19 247:4,8 280:18	write 200:9 201:2 257:10,12	
281:2 320:23 328:3 357:15	writing 84:19 192:17 200:7,12	
Wilfredo 243:1,2,4,9	251:6 252:16 325:18 326:10,12	
William 240:15	415:6	
Willie 40:17	written 191:2 223:9 251:11 253:8	
window 114:2,4 168:22 269:17,19	256:7,15 315:3,9 323:15 407:9	
270:2,3 383:20	413:6	
wing 156:12	wrong 55:7 81:11 86:22 111:9	
winter 31:13	120:22 122:7,12 284:24 409:16	
wire 100:23	wrote 414:18	
withdraw 236:3 333:20,21 369:16	<hr/>	
406:13	Y	
withdrew 358:8	Yamaha 55:22	
witnesses 354:19	Yanerez 107:24	
woman 34:3 112:18 205:10,14	year 17:17 33:5,6 38:8 39:9 48:6	
227:19,20 388:15	49:13 135:7 147:4 153:11 207:21	
	208:7 371:7,9 379:14 388:14	
	392:13,14	
	years 17:7 33:14 34:5 39:7,22	
	43:22,23 68:18 100:15 132:23	
	135:3,6,7,8,10 174:5 182:17 235:7	